



Distr.: General
22 July 2016
English
Original: French

Security Council Seventy-first year

In my capacity as the representative of the current Chair of the United Nations Standing Advisory Committee on Security Questions in Central Africa, I have the honour to transmit to you herewith the report of the Committee on its forty-second ministerial meeting, held in Bangui from 6 to 10 June 2016 (see annex), together with the following documents:

- Status of implementation of the recommendations of the forty-first meeting of the Committee and list of recommendations of the fortieth meeting of the Committee;
- Table showing the status of contributions to the Trust Fund since its establishment;
- Bangui Declarations.

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly, under agenda item 100 (g), and of the Security Council.

(Signed) Ambroisine Kpongo
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Central African Republic
to the United Nations

• A/71/L50.



**Annex to the letter dated 14 July 2016 from the Permanent
Representative of the Central African Republic to the
United Nations addressed to the Secretary-General**

**Report of the forty-second ministerial meeting of the
United Nations Standing Advisory Committee on Security
Questions in Central Africa**

Contents

	<i>Page</i>
Introduction	4
I. Adoption of the agenda	5
II. Election of the Bureau	5
III. Report of the outgoing Bureau	6
IV. Status of implementation of the recommendations of the forty-first ministerial meeting	6
V. Review of the geopolitical and security situation in Central Africa	7
Angola	10
Burundi	11
Cameroon	12
Congo	12
Gabon	16
Equatorial Guinea	16
Central African Republic	17
Democratic Republic of the Congo	18
Rwanda	19
Sao Tome and Principe	20
Chad	20
VI. Promotion of disarmament and arms limitation programmes in Central Africa	21
VII. Combating armed violence and terrorism in Central Africa, including Boko Haram	24
VIII. Maritime piracy and security	27
IX. Poaching in Central Africa	31
X. Combating drug trafficking and transnational organized crime in Central Africa	32
XI. Thematic discussion: National mechanisms for the management and regulation of crises and tensions in Central Africa	32
XII. Briefings by bodies with observer status in the Committee	34

XIII.	Report by the secretariat of the Economic Community of Central African States on institutional developments in subregional peace and security structures and mechanisms and on the development of strategic partnerships	37
XIV.	Report by the United Nations Entity for Gender Equality and the Empowerment of Women on the status of implementation in Central Africa of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009)	37
XV.	Review of the financial situation of the Committee: implementation of the Libreville Declaration by member States	40
XVI.	Venue and date of the next meeting	41
XVII.	Other matters	41
XVIII.	Adoption of the report of the forty-second ministerial meeting	41
XIX.	Expression of thanks	41
Annexes		
	Status of implementation of the recommendations of the forty-first ministerial meeting	43
	Table showing the status of contributions to the Trust Fund since its establishment	44
	Bangui Declarations	45

Introduction

1. The forty-second ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa was held in Bangui from 6 to 10 June 2016.
2. The following member States participated in the meeting: Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe.
3. The United Nations Regional Office for Central Africa (UNOCA) served as the Committee secretariat. The Secretary-General of the United Nations was represented by the Special Representative of the Secretary-General for Central Africa and Head of UNOCA, Mr. Abdoulaye Bathily.
4. The following United Nations entities took part in the proceedings as observers: the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Subregional Centre for Human Rights and Democracy in Central Africa, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).
5. Representatives of the following organizations also participated as observers: the Economic Community of Central African States (ECCAS), the African Union, the Lake Chad Basin Commission and the regional coordinator for the integrated strategy on counter-terrorism and the non-proliferation of small arms and light weapons in Central Africa.
6. The meeting of experts opened with addresses by the outgoing Chair, Gabon, represented by Mr. Alfred Mougara Moussotsi, Ambassador, Director General for Foreign Affairs, and by the representative of the Central African Republic, Mr. Cherubin Mologbama, Ambassador, Cabinet Director of the Ministry of Foreign Affairs, African Integration and Central Africans Abroad. At the suggestion of the outgoing Chair, a minute of silence was observed in memory of Nigerien and Nigerian soldiers killed in the attack of 3 June 2016 by Boko Haram terrorists on Bosso, a town in the Niger located in the Lake Chad Basin.
7. The opening ceremony of the ministerial meeting featured:
 - Opening remarks of the outgoing Chair of the Bureau, Mr. Emmanuel Issouze Ngondet, Minister of State, Minister for Foreign Affairs, La Francophonie and Regional Integration of Gabon, read out by the Minister Delegate, Mr. Calixte Nsiek Edang;
 - A statement by General Guy-Pierre Garcia, Deputy Secretary-General of ECCAS;
 - A statement by Mr. El Hacem Ould Lebatt, representative of the African Union;
 - A message from the Secretary-General of the United Nations, read out by his Deputy Special Representative for the Central African Republic, Ms. Diane Corner;
 - A statement by the Prime Minister and Head of Government of the Central African Republic, Mr. Simplicie Mathieu Sarandji.

I. Adoption of the agenda

8. The Committee adopted the following agenda:
 1. Adoption of the agenda.
 2. Election of the Bureau.
 3. Report of the outgoing Bureau.
 4. Status of implementation of the recommendations of the forty-first ministerial meeting.
 5. Review of the geopolitical and security situation in Central Africa.
 6. Promotion of disarmament and arms limitation programmes in Central Africa.
 7. Combating armed violence and terrorism in Central Africa, including Boko Haram;
 8. Maritime piracy and security.
 9. Poaching in Central Africa.
 10. Combating drug trafficking and transnational organized crime in Central Africa.
 11. Thematic discussion: National mechanisms for the management and regulation of crises and tensions in Central Africa.
 12. Briefings by bodies with observer status in the Committee.
 13. Report by the secretariat of the Economic Community of Central African States on institutional developments in subregional peace and security structures and mechanisms and on the development of strategic partnerships
 14. Report by the United Nations Entity for Gender Equality and the Empowerment of Women on the status of implementation in Central Africa of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009).
 15. Review of the financial situation of the Committee: implementation of the Libreville Declaration by member States.
 16. Venue and date of the next meeting.
 17. Other matters.
 18. Adoption of the report of the forty-second ministerial meeting.

II. Election of the Bureau

9. The Central African Republic was elected Chair of the Committee by acclamation.
10. The Committee also elected the following countries as members of the Bureau:
 - First Vice-Chair: Sao Tome and Principe;

- Second Vice-Chair: Cameroon;
- Rapporteur: Rwanda.

III. Report of the outgoing Bureau

11. The outgoing Chair briefed the Committee on the following activities carried out since its forty-first meeting, held from 23 to 27 November 2015 in Libreville:

- Transmission of a letter on 21 March 2016 to the States members of the Committee, reminding them of the following recommendations from the forty-first meeting of the Committee:
 - The importance for member countries that had not yet done so to ratify the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly (Kinshasa Convention);
 - The payment of an annual contribution of US\$ 10,000 to the Trust Fund to enable the Bureau of the Committee to undertake activities under the 2009 Libreville Declaration;
 - The inclusion in the agenda of the forty-second meeting of the Committee of a thematic debate on national mechanisms for the management and resolution of crises and tensions in Central Africa.
- Transmission of a letter on 10 March 2016 to the United Nations Entity for Gender Equality and the Empowerment of Women requesting the preparation of a detailed report on the status of implementation in Central Africa of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security.
- Transmission of a letter on 20 April 2016 to States members of the Committee Bureau proposing a field visit to Cameroon and Chad to investigate the security situation regarding the threat from Boko Haram and address the issue of maritime security in the Gulf of Guinea. Unfortunately, only the Central African Republic had responded to that proposal.

12. The outgoing Chair emphasized the need to implement the Libreville Declaration through the regular payment of contributions to the Trust Fund in order to ensure the sustainability of the Committee, and urged members to actively participate in the work of the Bureau of the Committee between statutory meetings.

IV. Status of implementation of the recommendations of the forty-first ministerial meeting

13. The Committee assessed the implementation of the recommendations of the forty-first ministerial meeting using the attached matrix (annex 1).

V. Review of the geopolitical and security situation in Central Africa

14. The representative of the ECCAS secretariat presented a review of the geopolitical and security situation in Central Africa, as described below.

Background

15. The review (based on information from open sources such as the press and official reports and documents of the United Nations, the African Union, States members of the Committee and the Central Africa Early Warning Mechanism) covered four major areas:

- Political and institutional developments;
- Domestic and cross-border security;
- Issues relating to governance, the humanitarian situation and human rights;
- A country-by-country review of the geopolitical and security situation.

Overview

16. Since the forty-first ministerial meeting, the political and security situation in Central Africa had been marked by mounting political pre- and post-election tensions and the resurgence of insecurity in some countries of the subregion. Three main points were highlighted:

- The normal functioning of public institutions but also the fragility of democratic processes;
- A lull and consolidation of the peace process;
- Continued insecurity and escalation in some conflict areas.

17. As noted during the forty-first meeting of the Committee, although significant progress in the consolidation of democratic processes and the normal functioning of institutions had been observed in most member States, it was clear that the subregion had continued to be confronted with a number of political and security concerns, in spite of continued efforts by ECCAS, the African Union, UNOCA, the States members of the Committee and their partners to find solutions to those problems.

18. All of the above had taken place against a challenging international and regional backdrop, characterized by:

- Economic slowdown owing to many factors, including the decline in the price of oil and other commodities, on which the economies of the majority of States members of the Committee were heavily reliant;
- Economic recession affecting the countries of the South, in a context of failure of the Doha Round negotiations during the tenth World Trade Organization Ministerial Conference, held in Nairobi in December 2015;
- Ongoing security risks of all kinds around Central Africa, which was virtually surrounded by those threats;

- An unprecedented global migration crisis, which in Central Africa was reflected in an increase in the number of internally displaced persons and refugees, creating a veritable humanitarian crisis;
- Widening inequalities and worsening poverty, particularly in countries affected by conflict.

A. Political and institutional developments

19. The period under review was characterized by one constant on the political and institutional fronts in most States members of the Committee, namely difficulties relating to the conduct of peaceful and consensual democratic processes to which all national political actors adhered. It was noted that those processes had continued to generate tensions likely to jeopardize the social cohesion, peace and stability of those States. However, it was important to stress that in 2015 the Central African subregion had entered a long electoral cycle that would continue until 2018 and include some vital elections. All questions relating to those elections raised during the forty-first meeting of the Committee therefore remained relevant.

20. Disagreements over the rules of the game remained palpable. The most notable of those disagreements were no longer just post-electoral, but much more pre-electoral, although the elections themselves had been held peacefully and had aroused relative enthusiasm among voters during the period under review. The determination and consensual arrangement of election timetables had continued to cause profound disagreements within the political class in those States. Thus, no State member of the Committee was truly protected from an electoral crisis. The elections, designed to regulate sociopolitical life in States members of the Committee, had instead tended to be a great source of tension and even conflicts that threatened peace, security and stability.

21. All of that had led the Central Africa Early Warning Mechanism to note that, apart from a few exceptions, there was a real crisis of democracy in many countries of Central Africa. That crisis was characterized by:

- Handover difficulties, including within political parties in power and opposition parties;
- Instability of electoral rules;
- Difficulties in establishing democratic traditions.

22. The situation therefore required in-depth review by the Committee in order to find appropriate solutions, as Central Africa risked plunging into a cycle of instability and conflict in the years to come if nothing was done.

B. Domestic and cross-border security

23. The situation with regard to domestic and cross-border security had remained the same as described at the forty-first meeting of the Committee. The general situation was mixed, but highly worrying. The regional context had remained characterized by the fight against terrorism: a comprehensive and global phenomenon described by some authors as "world war four", the Cold War being the third.

24. During the reporting period, the war against terrorism continued to pose some problems with regard to identification of the enemy, means of fighting and the final aim pursued.

25. The fight against Boko Haram had been of particular interest in the context of the review. It was noted that Boko Haram had been weakened militarily, being unable to conduct large-scale operations as in 2014, particularly because of action by the Multinational Joint Task Force, in coordination with the defence and security forces of the States concerned. However, owing to the change in its operational methods, through the proliferation of suicide attacks, that terrorist group continued to be particularly deadly and had claimed more victims in 2015 than in previous years. Consequently, Boko Haram had consolidated its position as the world's deadliest terrorist group in recent years, with over 15,000 deaths, more than Islamic State in Iraq and the Levant (ISIL).

26. Boko Haram had also become known for the extreme brutality and ferocity of its actions, with the cruel use of children, a situation condemned by the United Nations Children's Fund. Implementing the counter-terrorism strategy in Central Africa adopted at the Committee's last meeting had therefore become an urgent matter.

27. The question of negative forces in the eastern part of the Central African Republic, particularly the Lord's Resistance Army (LRA), and in eastern Democratic Republic of the Congo, particularly the Forces démocratiques de libération du Rwanda (FDLR) and the Allied Democratic Forces-National Army for the Liberation of Uganda (ADF-NALU), as well as insecurity at the border between the Central African Republic, the Sudan and Chad, remained relevant.

28. Apart from terrorism, Central Africa continued to face other cross-cutting threats, for example, the problem of narcotic drugs and their impact on security. If the scale of the use of certain drugs had led experts to speak of a genuine epidemic in Europe and in the United States of America, then the same could be said about local drugs in Central Africa.

29. At the same time, the use of "luxury drugs" and amphetamines continued to grow. One amphetamine highlighted during the reporting period warranted particular monitoring. Captagon was widely used by jihadists in Iraq, Libya, Syria, Tunisia and Turkey. It had also been established that Boko Haram used narcotic drugs for its fighters. Given that the collaboration between Boko Haram and ISIL appeared to be confirmed, it was likely that Captagon was to be found in the Lake Chad Basin area. According to neurobiologists, Captagon acted on the brain in a specific way and made those who took it fierce and almost wild.

30. Lastly, a resurgence of acts of maritime piracy and banditry in the Gulf of Guinea had been recorded during the period under review, particularly in the territorial waters of some countries of West Africa.

31. All of those facts demonstrated that Central Africa must increase its vigilance and, above all, intensify collective actions by strengthening cooperation in order to stem those internal and external threats.

C. Governance, humanitarian situation and human rights

32. The situation remained the same as described at Committee meetings over the past several years. The promotion of and respect for human rights, the practice of good governance and improvement of the humanitarian situation remained significant challenges in Central Africa. The continuing efforts of the States members of the Committee in that regard did not seem to be sufficient.

33. The fight against corruption remained a major challenge. The global ranking published for 2015 was enlightening in that regard. Although Transparency International's working methods were not without criticism and remained improvable and questionable, the fact remained that the rankings (Corruption Perception Index) published by that institution constituted a source of governance assessment to which many bilateral and multilateral actors referred.

34. According to the latest rankings, Central African countries were poorly positioned and were ranked as follows out of a total of 167 countries, from the most corrupt to the least corrupt: Angola (one hundred and sixty-third), Burundi (one hundred and fiftieth), Congo (one hundred and forty-seventh), Chad (joint one hundred and forty-seventh), Democratic Republic of the Congo (one hundred and forty-sixth), Central African Republic (one hundred and forty-fifth), Cameroon (one hundred and thirtieth), Gabon (ninety-ninth), Sao Tome and Principe (sixty-sixth) and Rwanda (forty-fourth).

35. With regard to prison administration, the issue of overcrowding in prisons and the conditions of detention and prison security continued to pose challenges to the Governments of Central African countries. In that regard, a framework for cooperation and dialogue on security in correctional facilities should be established in Central Africa.

36. Human rights violations were most prevalent in conflict areas. Rape, for example, had been used as a weapon of war. Paradoxically, the defence and security forces had sometimes been involved in human rights violations, including in countries that were not in situations of conflict.

37. The humanitarian situation also remained worrying in some countries of the subregion, owing in particular to the large number of displaced persons and refugees.

D. Country-by-country geopolitical and security review

Angola

38. Since the Committee's last meeting, Angola had continued to consolidate peace and stability.

39. On the political front, despite the economic difficulties caused by the drop in oil prices and its impact on socioeconomic life, the authorities had continued their efforts to modernize State operations. Those efforts were focused on the diversification of the economy to continue to implement the National Development Plan for the period up to 2017, largely focused on poverty reduction.

40. Election fever was already taking hold in the various political camps ahead of the legislative and presidential elections scheduled for 2017. Furthermore, the Government was considering holding local elections as soon as conditions allowed.

41. With regard to domestic and cross-border security, the authorities were continuing their efforts to consolidate democratic institutions, peace and national reconciliation. To bring the country into line with the continental order, the Angolan Parliament had authorized the ratification of the African Union Non-Aggression and Common Defence Pact.

42. Furthermore, the Government had continued the campaign for the collection of weapons still held by the civilian population and the demining of areas already identified.

43. The country had continued to face heavy illegal migratory pressure despite the regulatory measures already in place: legal repatriations with the consent of the countries of origin, expulsions of illegal aliens and border monitoring.

44. Lastly, a major epidemic of contagious yellow fever had rocked the country during the reporting period, resulting in nearly 300 deaths. The Government had made every effort to combat it, including through an awareness-raising campaign that had garnered broad support among citizens, who had been vaccinated, thereby helping to contain the situation and reduce the harm caused.

Burundi

45. Since the Committee's last meeting, the political and security situation in Burundi had been characterized by the status quo. However, there had been positive developments regarding the security situation, in spite of sporadic criminal acts.

46. On the political front, the incumbent Government and the opposition remained divided on the modalities for resuming dialogue announced in Arusha in the United Republic of Tanzania.

47. In the meantime, the perpetrators of the failed coup d'état of 2015 had been sentenced to imprisonment under the criminal law in force in the country. During the reporting period, almost 1,500 Burundians had been expelled from neighbouring Rwanda on the grounds of their illegal status. Relations with that country had remained tense during the reporting period.

48. With regard to domestic and cross-border security, the climate had remained precarious and worrying, with almost daily grenade attacks, ambushes and targeted assassinations against senior army and police officials. Clashes between law and order enforcement authorities and "armed criminals" were also recorded. It was in that context that Brigadier General Athanase Kararuzza had been killed in Bujumbura.

49. The worrying nature of the situation had led the African Commission on Human and Peoples' Rights to propose sending an international police force.

50. The International Organization of La Francophonie had also adopted sanctions against Burundi. The Secretary-General of the United Nations had undertaken a working visit to the country on 22 and 23 February 2016 in order to encourage stakeholders to revive the inter-Burundian dialogue.

51. On 1 April 2016, the United Nations Security Council had adopted resolution 2279 (2016) and requested the Secretary-General to draw up a list of potential options to prevent Burundi from slipping further into violence. In mid-April 2016,

the Secretary-General had proposed three deployment options: 3,000 police, 228 police or 20 to 50 police.

52. Given the magnitude of the crisis, the former Tanzanian President and actor in the Arusha Agreement, Benjamin Mpaka, had been designated by the Summit of East African Community Heads of State, on 2 March 2016 in Arusha, to initiate new mediation efforts between stakeholders in the crisis. He was continuing consultations with political actors, who had been absent during the previous meeting from 21 to 24 May 2016 in Arusha.

Cameroon

53. Since the Committee's last meeting, the political and security situation in Cameroon had remained stable. On the political front, the preparatory activities for the electoral process had continued.

54. The ruling party and its allies had stepped up motions of support and calls for the nomination of the current Head of State, sometimes requesting that the elections be brought forward. However, the opposition was divided, with one party opposed to bringing them forward.

55. With regard to security, the country had continued to effectively fight against Boko Haram, moving from defence to offence. Collaboration between the army, self-defence groups and watchdog committees had proven to be highly effective on the ground.

56. Securing the common border between Cameroon, Chad and the Central African Republic remained at the heart of the recommendations of the extraordinary summit of the Council for Peace and Security in Central Africa (COPAX), held in Yaoundé in February 2015, pending the scheduling of a tripartite meeting coordinated by MINUSCA. The planned meeting should reflect on the strategy to prevent connections between Boko Haram and the armed groups present in the Central African Republic.

57. Interoperability with the Nigerian armed forces had enabled the Cameroonian army to conduct operations on Nigerian territory, the most significant of which had helped to liberate the towns of Ngoshe and Kumshe.

58. In the area of humanitarian assistance, the issue of Nigerian and Central African refugees was a cause for concern. It would be advisable to continue the dialogue with the Office of the United Nations High Commissioner for Refugees (UNHCR) on the modalities for voluntary return.

Congo

Political situation

59. Since the Committee's last meeting, the Congo had entered a political and security crisis in the wake of the adoption of a new Constitution by referendum on 25 October 2015. The adoption of that new Constitution, promulgated on 6 November 2015, had repealed the blocked provisions of the former Constitution, but the change had been part of continuing the internal process of modernizing the country's institutions initiated two years beforehand.

60. It should be noted that a fringe opposition group, under the umbrella of the Front républicain pour le respect de l'ordre constitutionnel et l'alternance démocratique — Initiative pour la démocratie au Congo (FROCAD-IDC — Republican Front for Respect of Constitutional Order and Democratic Change-Initiative for Democracy in Congo) had boycotted the process of the above-mentioned constitutional referendum.

61. Although tensions during the electoral campaign had been deplored, particularly the incident of 17 March 2016 between law enforcement and the former “Ninja” Nsiloulou militia of Mr. Frédéric Bintsamou, alias “Pastor Ntoumi”, the early presidential election of 20 March 2016 had seen the participation of all political parties, including almost all opposition parties. That election, which was conducted without major incident, as the Secretary-General attested in his report of 25 May 2016 (S/2016/482), had resulted in the election of Mr. Denis Sassou Nguesso, with 60.19 per cent of the votes cast.

62. During the electoral process, it had been noted that parties belonging to FROCAD-IDC had refrained from sending representatives to the Independent National Electoral Commission, established in accordance with the provisions of the new Constitution. Despite the legal provisions that required equal representation of majority and opposition parties and civil society, the opposition parties gathered under the umbrella of FROCAD-IDC had established a technical electoral commission, parallel to the Independent National Electoral Commission, responsible for centralizing and publishing the results of the vote.

63. Contesting the results, some opponents, who had claimed their victory, had openly called for civil disobedience. Those calls were now regarded as one of the factors contributing to the attacks that occurred in some neighbourhoods in southern Brazzaville, strongholds of the opposition, during the night of 3 to 4 April 2016.

64. The attacks by former “Ninja” Nsiloulou militia of Mr. Frédéric Bintsamou had caused significant material damage, including setting fire to police stations and the headquarters of a municipal town hall. The official human toll had been 17 deaths and many wounded. Those events had also resulted in the massive displacement of people from neighbourhoods in southern Brazzaville.

65. To address the situation, steps had been taken immediately to restore public order and the safety of people in those neighbourhoods. The attackers had been pursued to the department of Pool, where they had found refuge.

66. The armed attacks had confirmed at least three things:

- Weapons were still circulating illegally in the Congo;
- Weapons were still being used to resolve political disputes in that country;
- The risk of armed militia reactivating was real.

67. Tensions had also been exacerbated by the arrest of some supporters of leaders of the opposition for disturbances to public order and inciting insurrection.

68. In the wake of the tragedy and its negative impact, the Government had taken the following measures:

- The rehabilitation of burned down police stations;

- The authorization of a Caritas-Congo mission in the districts of Mayama and Kindamba, conducted from 14 to 17 April 2016, to objectively assess the situation. The report of that Mission had also been made public;
- The issuance of arrest warrants against Mr. Bintsamou and two of his alleged accomplices;
- The deployment of a humanitarian mission (Government and partners).

69. Furthermore, the Special Representative of the Secretary-General for Central Africa and Head of UNOCA, Mr. Abdoulaye Bathily, had undertaken a mission to Pool on 1 June 2016 to investigate the situation on the ground. That mission had been followed on 4 June 2016 by another joint mission between the Government and agencies of the United Nations system in the Congo, which would last until 13 June 2016, with a delegation from the Office for the Coordination of Humanitarian Affairs. An evaluation mission of the United Nations High Commissioner for Human Rights was also expected in Pool and would remain there until 13 June 2016.

Combating cross-border crime

70. From 8 to 10 February 2016, Brazzaville had hosted the twenty-third African Regional Conference of the International Criminal Police Organization (INTERPOL), following the fourteenth session of the Central African Police Chiefs Committee, which had taken place in September 2013 under the theme: "Enhancing law enforcement cooperation in Africa: a regional response to organized crime".

Border issues

71. In the context of implementation of the protocol for common border management, the process initiated by the Congo was continuing in accordance with the African Union Border Programme, which had been replicated by ECCAS and which had a deadline of 2017.

72. Since the Committee's last meeting, border cooperation between the Congo and, respectively, Gabon and the Democratic Republic of the Congo, had developed to strengthen confidence-building measures with each of those neighbouring countries. Efforts must be made to give new impetus to border cooperation between the Congo and Angola.

• Congo and Gabon

73. In accordance with the conclusions of the first meeting of the joint technical committee of experts on border demarcation between the Congo and Gabon, held on 16 and 17 October 2015 in Ouessou in the Congo, the committee's experts had conducted their first joint field mission, from 28 December 2015 to 17 January 2016, in the Gabonese provinces of Ngounié and Nyanga.

74. Following the joint fact-finding mission, the experts reviewed all the points of contention that had been ironed out.

75. Furthermore, both parties had agreed, at the beginning of the current year, to open talks in April 2016 for the signature of an agreement on the delimitation of the common maritime border, in accordance with the United Nations Convention on the

Law of the Sea. However, owing to political timetable constraints, it had not been possible to hold that meeting.

• Congo and the Democratic Republic of the Congo

76. In line with the recommendations of the fifth session of the ad hoc defence and security committee, held on 24 and 25 September 2015 in Kinshasa, the agreement on the movement and establishment of persons and goods, signed on 3 June 2014 in Kinshasa, had already been implemented for several months.

77. Furthermore, the sixth ordinary session of the ad hoc defence and security committee had taken place from 2 to 5 June 2016 in Ouessou. Following a midterm review of the implementation of the agreement, the committee had adjusted some of the provisions of the voter card serving as a national identity card in the Democratic Republic of the Congo. It had been decided to consider only passports, along with a free visa for resident travellers.

78. In addition, the report by the Monitoring Unit on the demilitarization of the islands along the river, resulting from the 1885 agreement, as recommended by the fifth session of the ad hoc defence and security committee, had noted a confirmed sighting of marines of the Forces armées de la République démocratique du Congo (FARDC) on the shores of Mbamou Island, territory of the Congo. It had been decided, therefore, to urgently undertake demilitarization and to conduct an assessment of the islands along the river to determine their final status.

• Congo and Angola

79. More than 10 months after conducting an operation to verify the land and river borders between the Congo and Angola, from 17 June to 1 July 2015 in Cabinda, the joint common border verification subcommittee had still not held an evaluation meeting, which had prevented the continuation of the verification operation.

• Congo and Cameroon

80. After many postponements, both countries had agreed to hold meetings of the ad hoc border committee and the Standing Committee on Security in October 2016 in Yaoundé.

81. Prior to that, a meeting on cross-border trade had been scheduled from 6 to 12 June 2016 in Ouessou.

Refugee management

82. With respect to humanitarian action, the Congo hosted refugees on its territory who had mainly come from countries of the Central African subregion.

83. According to the results of the biometric registration and verification operation conducted between August and December 2015, the largest communities were composed of nationals of the following countries:

- Central African Republic: 27,415 refugees, following the crisis which had broken out in that country in March 2013;
- Democratic Republic of the Congo: 25,830 refugees, most of whom had arrived in June 2009, in the Likouala department;

- Rwanda: 9,469 refugees who had arrived in June 1997 from the Democratic Republic of the Congo;
- Angola: 557 refugees representing a long-standing community in the Congo that had settled in the departments of Pointe-Noire and Kouilou.

84. The remainder of the refugee population in the Congo was represented, among other countries, by Burundi (107 individuals), Chad (184), Côte d'Ivoire (710), Mauritania (63) and the Sudan (51).

85. The population of refugee women of all nationalities in the Congo was currently estimated at 63,763.

86. In the near future, tripartite meetings would be held to discuss the situation of refugees from Rwanda and the Democratic Republic of the Congo with the countries of origin and UNHCR, with a view to assessing implementation of the road maps adopted at previous meetings.

Gabon

87. The domestic political situation was characterized primarily by preparations for two important elections to be held that year, namely the presidential election scheduled for 27 August 2016, followed by the legislative elections.

88. In accordance with the laws in force in Gabon, the various administrations involved were taking the necessary steps to ensure the conduct of peaceful and transparent elections, in accordance with democratic norms.

89. Consultations among the various stakeholders in the country, including the majority and the opposition, were being maintained in order to ensure an inclusive electoral process, in a peaceful climate ensuring credible and acceptable results.

90. In anticipation of the presidential election, the Government was maintaining consultations with the international community, including the European Union, the African Union and the International Organization of La Francophonie, to ensure monitoring of the election.

91. Despite the substantial reduction of large-scale banditry, the defence and security forces were observing maximum vigilance, to ensure the safety of persons and property, the successful conduct of the elections, and to avoid any potential terrorist attacks nationwide, in view of the detrimental regional and subregional security context strongly characterized by the criminal activism of Boko Haram.

92. On the economic front, the Government was continuing its policy of diversifying the economy, in order to significantly reduce the high dependence of the country on oil and to free its development from the volatility of crude prices.

Equatorial Guinea

93. Since the Committee's last meeting, Equatorial Guinea had remained generally peaceful, secure and stable.

94. The major political event had been the presidential elections held on 24 April 2016. The date of the election had been agreed by consensus between the political parties.

95. That election, boycotted by one opposition party, had been won by the outgoing President by a score of 93.53 per cent of votes against six other candidates. The President had promised on that occasion that it was the last time he would stand for a presidential election. Bolstered by the political stability enjoyed by the country as well as its noteworthy contributions to African integration, Equatorial Guinea had chosen to nominate its Minister for Foreign Affairs, Mr. Agapito Mba Mokuy, for the post of Chairman of the African Union Commission, on behalf of Central Africa.

96. Domestic and cross-border security had remained under control, despite migration problems such as foreign nationals who were illegal aliens or had committed criminal acts. The country was also facing an economic slowdown because of lower oil prices.

Central African Republic

97. The overall situation in the Central African Republic since the Committee's last meeting was part of a process of normalization. On the political front, the transition had ended on 30 March 2016, notably with the completion of the electoral process in line with the calendar established at the Summit of Heads of State and Government of ECCAS, held in Libreville in November 2015.

98. The twinned presidential and legislative elections of 30 December 2015, held following the adoption of the new Constitution on 13 December 2015, had had very high turnouts.

99. Thirty (30) candidates had stood in the presidential election. According to the official results declared by the Transitional Constitutional Court, the two leading candidates had gone through to the second round, at the end of which, Mr. Faustin-Archange Touadera had been elected President of the Republic, with a little over 60 per cent of the votes. He had benefited from the support of certain candidates, leaders of political parties and heads of civil society platforms.

100. The bulk analysis of those results revealed somewhat of a rearrangement of the political class, with little room for traditional majority parties, and a clear desire by the various actors to seek national reconciliation.

101. After those elections, the Central African Republic had set up a new National Assembly and a Government featuring several members of the Central African political class.

102. With regard to security, there was significant improvement. The announcement of the end of Operation Sangaris in December 2016 and the incorporation of elements of the French army into MINUSCA was based on that positive trend.

103. The Government was in consultations with the United Nations in order to ensure that the future mandate of MINUSCA took into account the fight against LRA, poaching and the circulation of small arms and light weapons in a suitable manner for a post-transition stabilization environment. That urgently required lifting the arms embargo to allow for the participation of Central African defence and security forces in stabilization efforts. The consultations would also expand within a bilateral framework for the revival of the tripartite operation between Chad, the Sudan and the Central African Republic.

Democratic Republic of the Congo

104. The political situation in the Democratic Republic of the Congo had been characterized by:

- The election of governors of new provinces, further embodying decentralization aimed at bringing the administration closer to citizens;
- The decision issued by the Constitutional Court following the petition filed by 282 deputies, including 52 from the opposition, for the interpretation of article 70, paragraph 2, which stated that at the end of his or her mandate, the President of the Republic would remain in office until the effective installation of the newly-elected President. The decision had put an end to the political tension due to differences between political actors regarding the interpretation of that provision of the Constitution;
- Significant advances in the electoral process, namely:
 - The Independent National Electoral Commission (CENI) was working to carry out pre-electoral operations, including the revision of the electoral list based on external audit recommendations from the International Organization of La Francophonie and the European Union, in order to meet the expectations of political actors, both in power and from the opposition, which considered that roll tainted. That was due to the fact that the roll did not include new adults or Congolese citizens from outside of the country and must be cleared of deceased persons and duplications;
 - CENI had already commissioned electoral kits and commenced enrolment operations from Sud-Ubangui province.
- The inclusive national dialogue had been convened by the Head of State. The facilitator, appointed by the African Union, was ready to start working for the effective holding of the dialogue. The Security Council had invited all stakeholders to participate actively in an open and constructive spirit in order to lead to credible, transparent and peaceful elections.

105. With regard to security, there was reason to encourage the efforts of FARDC, with the support of MONUSCO, which had significantly reduced the capacity of negative forces to do harm. The arrival in Kinshasa towards the end of May of the representative of the former Mouvement du 23 mars (M23) to fill his position within the national oversight mechanism, in accordance with the Addis Ababa Framework Agreement and the Kampala Declaration, was welcome. The continuation of the operation to disarm, demobilize and reintegrate former M23 members who had agreed to return to the Democratic Republic of the Congo was encouraging.

106. Nevertheless, the renewed activities of negative forces in the east of the country, including killings in Beni in North Kivu, was regrettable. The report by the United Nations Experts Group had attributed some of those killings to certain FARDC members. However, the Government of the Democratic Republic of the Congo had vigorously rejected the allegations contained therein and demanded verification on the ground to establish the truth in order to ensure legal action against the perpetrators of the killings. It should be noted that, since the resumption of cooperation between FARDC and MONUSCO, every effort had been made to eradicate insecurity and identify those responsible for the massacres with input from

the population. The solution to the insecurity in eastern Democratic Republic of the Congo required the repatriation of former combatants of FDLR, ADF-NALU, LRA, Al-Shabaab, Mbororo and other armed groups to their countries of origin.

107. Lastly, on the economic front, pursuant to the Addis Ababa Framework Agreement, a conference on private-sector investments in the Great Lakes region had been held in Kinshasa on 24 and 25 February 2016. The objective of that conference had been to define strategies to develop the abundant resources of the Great Lakes region through innovative and inclusive projects. After a long period of recurring cycles of violence and war suffered by the region, it was time to eradicate the illegal exploitation of minerals that constituted one of the sources of continued insecurity, in accordance with numerous memorandums of understanding signed by the member countries of the International Conference on the Great Lakes Region (ICGLR).

Rwanda

108. Since the Committee's last meeting, the overall situation in Rwanda had been characterized by peace and stability in every respect.

109. The major political event had been the process to significantly amend the 2003 Constitution. The changes included the following:

(a) At the end of his mandate in 2017, the current President would be eligible for a transitional mandate of seven years;

(b) After that transitional mandate, in 2024, the presidential term would be lowered from seven to five years and would be renewable only once;

(c) Senators who had been elected indirectly for a term of eight years would be elected for a five-year term at the end of the current legislature in 2018.

110. It should be noted that that process had received the approval of all competent national institutions but had been criticized by some of Rwanda's bilateral partners.

111. On the diplomatic front, following its readmission to ECCAS at the sixteenth Summit of Heads of State and Government and its successful hosting of the eighty-fourth session of the INTERPOL General Assembly in Kigali and the World Economic Forum on Africa, Rwanda was preparing to host the twenty-seventh ordinary session of the Assembly of Heads of State and Government of the African Union in July.

112. On the security front, observers had remained attentive to the following facts:

- The presence of a recruiter for ISIL, killed by police in Kigali, following an attempted escape;
- The death of fifty people following landslides caused by heavy rains;
- Two attacks, in March and April 2016, on a police station in Rwanda attributed to FDLR from eastern Democratic Republic of the Congo;
- Diplomatic and security tensions with Burundi;
- Since the beginning of the political and security crisis in Burundi in 2015, Rwanda had hosted over 75,000 Burundian refugees according to data from UNHCR and other refugee institutions;

- The claim in a report by the United Nations Group of Experts on the Democratic Republic of the Congo that the Rwandan army was training Burundian rebels. That allegation had not been confirmed by any other credible or reliable source;
- Following a misunderstanding between Rwanda and Burundi regarding allegations of training of Burundian rebels by the Rwandan army in the camps, the Rwandan authorities had requested the international community, through UNHCR, to resettle those refugees in other countries in order to dispel any misunderstanding or suspicion between the two brotherly and neighbouring countries.

Sao Tome and Principe

113. Since the Committee's last meeting, Sao Tome and Principe — an archipelago in the heart of the Gulf of Guinea whose insularity was both an asset and a potential risk — had remained generally peaceful and stable.

114. On the political front, the focus had been on the run-up to the presidential elections, scheduled for 17 July 2016. Independent Democratic Action — the party in power, which had an absolute majority in Parliament — would certainly want one of its members to be elected in place of the current Head of State who could also stand for a second term. Several candidacies had already been announced.

115. Regarding domestic security, there had been residual cases of criminality and banditry in some cities, including Sao Tome.

116. Lastly, Sao Tome and Principe must be more vigilant in order to combat the resurgence of acts of banditry and cases of illegal trafficking in its maritime area during the period under review. That might justify the acquisition of maritime safety equipment during the reporting period, with support from bilateral partners such as Brazil, Portugal and the United States of America.

Chad

117. Chad had remained generally stable and peaceful since the previous ministerial meeting.

118. On the political front, the country had held presidential elections on 10 April 2016 in a calm and peaceful atmosphere. For the first time, the technology of biometrics had been used with approximately 6 million voters. The outgoing President had faced 12 other candidates and had won 59.63 per cent of the votes cast. Popular enthusiasm had been observed on polling day. Post-election violence had been avoided and it was hoped that the same would apply for the legislative elections expected no later than the end of 2016. Moreover, Chad had chaired the African Union since January 2016.

119. On the economic front, despite the fall in the price of a barrel of oil and the resulting austerity plan, the Government had spared no effort to guarantee citizens their economic, social and cultural rights.

120. Chad remained engaged with its international and regional partners in combating terrorism, including Boko Haram in the Lake Chad Basin and jihadists in northern Mali. Following the attack of 3 June 2016 in Bosso in the Niger, in which 30 Nigerien soldiers and two Nigerian soldiers had been killed, Chad had been

requested and had deployed two infantry regiments (2,000 men) to strengthen the Nigerien army. Chad had been instrumental in the operationalization of the Multinational Joint Task Force, whose headquarters were based in N'Djamena. At the extraordinary summit of COPAX in Yaoundé in February 2015, States had committed themselves to providing 50 billion CFA francs of logistical and financial support to Chad and Cameroon in their common fight against Boko Haram. Those commitments were being implemented. The state of emergency in force in the Lake Chad region had been extended by six months.

121. Chad was surrounded by several hotbeds of tension, which increased the number of refugees on its territory. It was the third country in Africa, after Kenya and Ethiopia, to host the largest number of refugees on its territory, namely 750,000 people. Moreover, Chad had 130,000 returning refugees and 90,000 displaced persons. Women and children were the most vulnerable. In refugee camps in the Lake Chad region, explosive belts had been found on children. Taking care of refugees was proving an urgent issue to be addressed in order to avert a humanitarian crisis in the medium term. At the Abuja summit on regional security of 14 May 2016, States had agreed that the military response alone was no longer sufficient. Responses to development issues and increased support to refugees were essential.

VI. Promotion of disarmament and arms limitation programmes in Central Africa

Implementation of the Sao Tome Initiative

122. The representative of the ECCAS secretariat reported that, since the Committee's previous meeting, some activities relating to the Sao Tome Initiative had been carried out. The Initiative was twofold, comprising the Code of Conduct for Defence and Security Forces in Central Africa, on the one hand, and the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly (Kinshasa Convention), on the other.

Status of ratification of the Kinshasa Convention

123. While all States members of the Committee had signed the Kinshasa Convention, only five of them (Cameroon, the Central African Republic, Chad, the Congo and Gabon) had ratified it. Angola and the Democratic Republic of the Congo had undertaken ratification at the domestic level but the instruments of ratification had not yet been deposited in New York. The deposit of only one instrument of ratification would enable the entry into force of the Convention and the start of its effective implementation. Sao Tome and Principe announced at the Committee's meeting that its Parliament had ratified the Convention on 17 May 2016 and that the President was expected to approve ratification in the following weeks.

124. Meanwhile, the ECCAS secretariat was preparing for the implementation of the Convention in the light of the specific responsibilities defined therein. The ECCAS secretariat was therefore involved in establishing national arms control commissions in those member States that still did not have them. In that context, during the reporting period, the ECCAS secretariat had engaged with the Regional

Centre on Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States, based in Nairobi, to encourage the establishment of national commissions in Cameroon, Chad and Gabon. A joint mission had been conducted from 5 to 6 May 2016 in Gabon and from 11 to 13 May in Cameroon. Moreover, the ECCAS secretariat had contacted Angola and Chad about missions scheduled for June and July 2016 to help those States adopt the relevant international standards.

Implementation of the Code of Conduct for Defence and Security Forces in Central Africa

125. That issue was breeding mistrust among the military authorities of the subregion. However, member States had mandated its preparation in order for the defence and security forces to be more national and citizen-oriented. The Code of Conduct had been solemnly submitted to senior officials of the defence and security forces as of July 2012. The ECCAS secretariat was responsible for its dissemination. The ECCAS secretariat suggested holding a meeting of experts from member States to summarize the remarks made and take corrective action before its political approval.

Related area: private security companies

126. Given the security concerns raised by that topic, the ECCAS secretariat had initiated the drafting of a white paper on private security firms. At the previous meeting, held in Yaoundé in July 2014, it was decided that for the final stage of information collection, national experts should submit a questionnaire formulated by common agreement. To date, some experts of member States had fulfilled that task. It was therefore decided that experts from the secretariat would visit national authorities again in order to conclude the work. The countries visited were Angola, Cameroon, the Congo and the Democratic Republic of the Congo. Planned missions to Equatorial Guinea and Sao Tome and Principe had not been carried out owing to a lack of financial resources.

Implementation of the Arms Trade Treaty

127. The representative of the ECCAS secretariat said that the Arms Trade Treaty had entered into force on 24 December 2014, following the deposit of the fiftieth instrument of ratification to the United Nations Secretary-General. All States members of the Committee had signed the Treaty, with the exception of Equatorial Guinea and the Democratic Republic of the Congo. Only Chad and the Central African Republic had ratified it.

Presentation by the United Nations Regional Centre for Peace and Disarmament in Africa

Small arms and light weapons

128. The illicit trade in and the proliferation of small arms and light weapons continued to have a negative impact on several Central African countries. The States concerned were facing challenges in managing and finding lasting solutions to the problem. In several parts of the subregion, the persistent diversion of weapons and their ammunition remained a major issue.

129. The Arms Trade Treaty and the Kinshasa Convention were important instruments for controlling and combating the illicit proliferation of small arms and light weapons in Central Africa. The United Nations Regional Centre for Peace and Disarmament in Africa encouraged the States members of the Committee that had not yet done so to ratify both instruments.

130. The Centre welcomed the fact that combating the illicit proliferation of small arms and light weapons was included in the United Nations Great Lakes Regional Strategic Framework, formally launched in March 2016 by the Secretary-General of the United Nations. The Centre stood ready to contribute, together with the United Nations Development Programme (UNDP) and other partners, to the implementation of that strategy.

131. Within the framework of the sixth meeting of the States Parties to the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held from 6 to 10 June 2016 in New York, it was notable that only 12 African States had submitted their reports on the implementation of that instrument, including only one State member of the Committee. Nevertheless, transparency and sharing information on issues related to small arms and light weapons were key concepts in combating illicit proliferation. The Centre urged all States members of the Committee to maintain and enhance their participation in that confidence-building measure.

132. In order to assist States members of the Committee to deal with trafficking in and the proliferation of small arms and light weapons, the Centre had carried out the following activities:

(a) As indicated at the previous meeting of the Committee, the Centre and the UNDP Subregional Office for Africa had implemented an evaluation project on small arms and light weapons in nine countries, namely, Burkina Faso, Cameroon, the Central African Republic, Chad, Mali, Mauritania, the Niger, Nigeria and Senegal. The survey was part of the United Nations Integrated Strategy for the Sahel. The results of the survey had been discussed and validated at a regional workshop in February 2016. The survey had revealed that physical security and stockpile management of small arms and light weapons and their ammunition held by Governments was a very important issue. With regard to regional trends in the face of the proliferation of small arms and light weapons, the survey had also revealed the institutional, legislative and geographical challenges that the States in question were facing. The survey had once again demonstrated the importance of the existence and implementation of institutions to coordinate efforts to combat the proliferation of small arms and light weapons, including the allocation of appropriate means, the adoption of a national action plan and the strengthening of legislative and judicial frameworks. In that regard, it was worth recalling that a draft guide for the harmonization of national legislations had been submitted to the ECCAS secretariat in May 2015 for consultation and finalization.

(b) The Centre was providing support for improved physical security and stockpile management in the Sahel region. In March 2016, a project had been officially launched with a regional conference organized by the Centre and Wilton Park. For the time being, the Centre was organizing, jointly with national focal points and committees, national consultations on the issue of physical security and stockpile management, including on the legislative aspect. For Chad, the only State

of the six beneficiary countries that was a member of the Committee, consultations would take place by early July 2016.

(c) In order to build the capacities of francophone African diplomats and experts to participate in negotiations on disarmament and grasp the major issues of disarmament, the Centre was drafting a practical guide on disarmament in Africa. A validation workshop for the guide would be held in Lomé on 13 June 2016. The guide would be made available to States members of the Committee.

Weapons of mass destruction

133. In April 2016, the United Nations Office for Disarmament Affairs and the African Union had organized a regional workshop on the implementation of Security Council resolution 1540 (2004), which related to the non-proliferation of weapons of mass destruction. Recommendations made at the workshop included the need to reinforce national efforts for implementation of the resolution. It should be recalled that 13 African States had not yet submitted their initial reports on implementation of the resolution, including three States members of the Committee.

134. The representative of the Centre reiterated the readiness of the Centre to make its expertise and resources available to States members of the Committee.

Recommendations

135. The Committee invited all States that had not yet ratified the Kinshasa Convention to do so as soon as possible, so that it could enter into force. The Committee indicated that only one member State's ratification was needed for the Convention to enter into force.

136. While recalling that only two member States (Central African Republic and Chad) were States parties to the Arms Trade Treaty, the Committee invited member States to sign and ratify the Treaty as soon as possible.

137. The Committee invited all member States to provide an update, at each meeting of the Committee, on the ratification process of the instruments listed above, and on the implementation of all the instruments relating to disarmament and arms limitation programmes, including small arms and light weapons.

VII. Combating armed violence and terrorism in Central Africa, including Boko Haram

Combating Boko Haram: situational analysis

138. The representative of the Lake Chad Basin Commission said that the Boko Haram sect had, since its establishment in 2002, gradually become a regional threat, causing serious disruption to the agricultural and pastoral activities around the Lake Chad Basin. The use of children forced to act as suicide bombers, the killing of civilians, the taking of hostages and, more specifically, the abduction of hundreds of schoolgirls in Chibok, Nigeria, in April 2014, had sparked strong indignation throughout the world and widespread condemnation that had subsequently resulted in the determination to fight relentlessly against the terrorist group.

139. The Paris Summit of 17 May 2014 on security in Nigeria, attended by the Heads of State of Benin, Cameroon, Chad, France, the Niger and Nigeria, as well as

representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the European Union, had served as a catalyst for regional and international mobilization against Boko Haram.

140. At the regional level, Heads of State and Government of the Lake Chad Basin Commission and Benin, gathered at an extraordinary summit on 7 October 2014 in Niamey, had made the strong decision to combat Boko Haram in synergy, wherever it appeared. To that end, the resolutions that they had adopted included developing a common strategy against the terrorist threat in the Commission area, and strengthening the operational and intelligence capacities and coordination of the Multinational Joint Task Force.

141. At an extraordinary summit held on 11 June 2015 in Abuja, Heads of State and Government of the Lake Chad Basin Commission and Benin had approved the Concept of Operations and related documents for the Task Force to combat the Boko Haram terrorist group as well as the common strategy to fight the terrorist threat in the Commission area, prepared following numerous meetings of experts and ministers. They had also endorsed the immediate deployment of general staff for the Task Force in N'Djamena, in order to meet the human, logistical and financial needs, and appointments to three positions of authority within the general staff of the Task Force.

142. With a view to implementing the Task Force, the chiefs of staff of the armies of States members of the Lake Chad Basin Commission and Benin, gathered at a special session on 20 August 2015 in N'Djamena, had decided, inter alia, on the immediate deployment of troops in their areas of responsibility in order to enable the Force Commander to conduct his transfer of authority tour. In that regard, ceremonies for the transfer of authority from national troops to the Task Force had been organized as part of a tour conducted by the Force Commander in Baga and Mora on 6 and 8 September 2015, respectively, and in Bagasola on 11 January 2016.

143. Implementation of the Task Force was now under way. The joint general staff had reached their full complement and had been operational since 3 August 2015, with the installation of temporary headquarters in Farcha N'Djamena. Sectors and subsectors were deployed and conducting operations against Boko Haram fighters in their respective areas of responsibility, in accordance with the mission establishment phase and in coordination with the different national forces. Implementation of the mandate of the Task Force would continue under the new vision that had arisen from the second summit on regional security, held in Abuja on 14 May 2016. In addition to military operations, humanitarian and development components were now fully integrated in the fight against the Boko Haram terrorist group.

144. The fight against Boko Haram had thus sparked synergy of action on the part of the States members of the Lake Chad Basin Commission and Benin. It had effectively contributed to the strengthening of military cooperation and subregional integration. The tireless efforts and sacrifices made by those countries to eliminate that threat to regional security were very commendable and brought hope to the populations. The implementation of the Multinational Joint Task Force therefore provided a clear example of African unity in action. The spirit of African solidarity, particularly among Central African countries for Commission countries that had fallen victim to the terrorist activities of Boko Haram, was commendable, as was the multifaceted support of the African Union, the European Union and bilateral partners, including France, the United Kingdom and the United States of America. It

was nevertheless to be hoped that the pledges of support made, including at the donors' conference for the Task Force on 1 February 2016 in Addis Ababa, would be implemented as soon as possible and that the meeting between ECCAS and the Economic Community of West African States (ECOWAS) on a common transregional strategy would finally take place.

145. The representative of the Multinational Joint Task Force gave a comprehensive presentation on the security and humanitarian situations in the areas affected by Boko Haram, the current capacities of Boko Haram and the Task Force operations against it since January 2016. The presentation is contained in section V, part B, of the present report. In discussions with States members of the Committee, the following points were clarified:

- The ideological goal of Boko Haram was to create a caliphate. The inability to achieve that goal had accentuated the criminalization of the terrorist group;
- It was extremely difficult, even impossible, to negotiate with Boko Haram owing to the lack of an interlocutor and a credible or reasonable agenda;
- Boko Haram had support beyond even the regions of West Africa and Central Africa;
- Boko Haram was spreading by taking advantage of people's ignorance and their socioeconomic grievances. The response to Boko Haram could not be based solely on security;
- The Multinational Joint Task Force did not detain Boko Haram fighters or manage the weapons recovered; national authorities were responsible for those tasks.

Implementation of the Road Map for Counter-Terrorism and Non-Proliferation of Arms in Central Africa

146. The fight against terrorism and the proliferation of small arms and light weapons had been one of the main concerns at the Committee's previous meeting. At the current meeting, all States members of the Committee had proposed a common vision of urgent measures to combat the Boko Haram terrorist group, whose expansion in the subregion was of increasing concern.

147. That common vision had been set out in the regional strategy on counter-terrorism and non-proliferation of small arms and light weapons in Central Africa. The aforementioned strategy was consistent with commitments related to implementing the Declaration on a Road Map for Counter-Terrorism and Non-Proliferation of Arms in Central Africa, adopted at the thirty-third meeting of the Committee, held in Bangui in December 2011. The development of that regional strategy reflected increased awareness by States in the region of the challenges posed by new threats whose eradication would require a comprehensive and concerted approach.

148. The strategy stemmed from a desire to seek concerted solutions against terrorism at the regional level and incorporated the transnational vision of synergy based on existing international mechanisms. Its implementation would facilitate the development of national strategies to combat the threat.

149. A document inspired by the United Nations Global Counter-Terrorism Strategy, the regional strategy to combat terrorism and the proliferation of small arms and light weapons in Central Africa, adopted in Libreville on 26 November 2015, focused on four basic pillars: prevention, protection, prosecution and response.

150. It took into account measures to address the conditions conducive to the spread of terrorism, as well as those relating to strengthening the capacity of States to respond to it collectively, efficiently and sustainably. The strategy also highlighted the importance of respecting human rights and the rule of law as the fundamental basis of combating terrorism.

151. In that regard, the strategy emphasized the need for States to strengthen mechanisms for cooperation in the areas of customs, police, economy and social life at the national, subregional, regional and international levels.

152. To mark their commitment to the strategy, participants had issued a statement expressing their decision to ensure its implementation. They had also undertaken to provide regular monitoring of the strategy at all subsequent meetings of the Committee. Representatives of the 11 member States believed that that obligation was necessary, given the criminal acts of Boko Haram against two States members of the Committee, Cameroon and Chad, and the terrorist risks faced by the other member States. They took that opportunity to renew their support to the States concerned.

153. Furthermore, at the last meeting of the Committee, member States had endorsed the holding of a conference in Cameroon to launch the strategy. That would provide the impetus to create the synergies essential for overcoming the threat.

Recommendations

154. The Committee encouraged the ECCAS secretariat to redouble its efforts to hold a joint summit with ECOWAS with a view to developing a joint strategy to combat Boko Haram, in accordance with the decisions taken by the Heads of State at the extraordinary summit of COPAX held in Yaoundé in February 2015.

155. The Committee recommended stepping up inter-agency cooperation (UNOCA, regional coordination against terrorism, ECCAS, ECOWAS, the Central African Economic and Monetary Community, the Lake Chad Basin Commission and the Interregional Coordination Centre for Maritime Safety and Security in the Gulf of Guinea) to synergize actions for the implementation of the regional strategy.

156. The Committee recommended that UNOCA should consult with Cameroon on the holding of a conference to launch the strategy as soon as possible.

VIII. Maritime piracy and security

157. The report by the ECCAS secretariat at the previous meeting of the Committee had presented the milestones reached up to the activation of the Regional Centre for Maritime Security in Central Africa (CRESMAC) in October 2014, and had discussed the progress made by the Interregional Coordination Centre in Yaoundé,

where in February 2016 the heads of institutions (ECCAS, ECOWAS and the Gulf of Guinea Commission) had discussed the work submitted by the launch team.

Regional Centre for Maritime Security in Central Africa

158. The ECCAS secretariat had submitted to the members of the Defence and Security Commission of Central Africa, gathered in Libreville on 12 March 2016, a number of cases related to countering piracy in the maritime area of Central Africa. Those cases included the following:

Functioning of the Regional Centre for Maritime Security in Central Africa

159. CRESMAC was an entity of the ECCAS secretariat that had commenced its operations and whose posts were progressively being filled. In terms of staffing, taking into account the current funding of CRESMAC, four States (Cameroon, Chad, Congo and Gabon) had already filled their posts, two others (Angola and the Democratic Republic of the Congo) were in the process of doing so and three (the Central African Republic, Equatorial Guinea and Sao Tome and Principe) had not yet reached a decision.

160. Financially, only a few States had paid their contributions to launch the activities of CRESMAC.

161. Operationally, thanks to technical equipment offered by the United States and the European Union in support of the host State (Congo), CRESMAC was working with the Multinational Maritime Coordination Centre for Zone D, which was already operational, and some maritime operations centres.

162. CRESMAC was therefore able to produce a maritime image enabling the tracking of vessels equipped with an automatic identification system and to participate in multinational exercises with partners in the Gulf of Guinea. Nonetheless, challenges remained, including:

- The ineffectiveness of the funding mechanism adopted by the Council of Ministers of ECCAS, following a committee review of the resource mobilization strategy and acceptance by the Central African Shippers' Council;
- The unavailability of the launch budget approved by a Council of Ministers meeting held in N'Djamena in 2010;
- The fact that certain posts had not been filled.
- The non-activation of the Multinational Maritime Coordination Centre for Zone A.

Activation of the Multinational Maritime Coordination Centre for Zone A

163. To implement the Gulf of Guinea security strategy, ECCAS maritime space had been divided into two zones that both included a pilot State:

- Zone D: Cameroon (host State), Equatorial Guinea and Sao Tome and Principe;
- Zone A: Angola (host State), Congo and the Democratic Republic of the Congo.

164. The Multinational Maritime Coordination Centre for Zone D had been operational since 2009, while the Zone A was still pending. To activate it, a suggestion had been made to hold the kick-off meeting in Angola that year with the financial support of the host State (Angola), as had been done for Zone D.

Draft operational maritime security plan, SECMAR 3

165. In view of the need to comply with the Kinshasa Protocol and to advance the Yaoundé Code of Conduct towards its binding phase, the Committee reviewed with interest the SECMAR 3 draft operational plan whose ultimate objective was to cover the entire ECCAS maritime space (Zone A and Zone D). A meeting to validate the related documents had been scheduled in Pointe-Noire in the Congo, and the ECCAS secretariat was in the process of seeking funding for that meeting. It had also been noted that:

- While the operational means (vessels, aircraft, base port and home base) had been defined in the Kinshasa Protocol, formal consent had not yet been given by the contributing States.
- No stocktaking meeting of the SECMAR 2 plan had been held since 12 February 2012. One should be held under the auspices of the Pointe-Noire meeting.

Draft cooperation framework between the Regional Centre for Maritime Security in Central Africa and the Interregional Coordination Centre for Maritime Safety and Security in the Gulf of Guinea

166. The Committee was briefed on the need to develop a cooperation framework for CRESMAC, the Interregional Coordination Centre and partners and economic operators in the maritime sector. Such a framework should help to clarify the practical modalities of cooperation, collaboration and interaction among the various structures. The overall aspects of maritime safety and security in the ECCAS area were considered highly dependent on effective implementation of CRESMAC and cooperation with the Interregional Coordination Centre.

167. In early May 2016, the ECCAS secretariat had dispatched a technical mission of ECCAS secretariat managers to CRESMAC headquarters in order to develop those collaborative mechanisms and prepare a meeting of national naval chiefs of staff, who would review all of the files and adopt a road map activating the Multinational Maritime Coordination Centre for Zone A and the maritime operations centres.

Interregional Coordination Centre for Maritime Safety and Security in the Gulf of Guinea

168. A special session of the Annual Meeting of Senior Officials of the Interregional Coordination Centre had taken place in Yaoundé on 12 February 2016, preceded by a meeting of experts to review the work carried out by the launch team. The heads of the three institutions had participated. Important decisions had been made in order to accelerate the effective launch of the Interregional Coordination Centre. The following points were noted, inter alia:

Increasing power

169. Senior officials from the Interregional Coordination Centre had mentioned the option of progressive operation of the Centre, with a start-up phase comprising a total of 26 people, an intermediate phase and a cruise phase with 41 people.

Recruitment

170. The heads of the institutions had established a joint committee for the recruitment of the Centre's statutory and professional staff. Regarding statutory staff, ECCAS would need to fill three of the seven statutory posts.

171. The ECCAS secretariat had submitted the question of distributing those three posts to members of the Defence and Security Commission. The latter had preferred to leave that matter to the ECCAS secretariat, which was in the process of implementing instructions from Heads of State. The ECCAS secretariat had written to the three States selected for the first rotation: Angola, Cameroon and Equatorial Guinea.

Resource mobilization

172. Senior officials from the Interregional Coordination Centre had adopted the Centre's budget for the second half of 2016 and the budget estimate for 2017. Those budgets amounted to 930 million CFA francs and 1.736 billion CFA francs, respectively.

173. They had agreed to involve member States in mobilizing the budget for the second half of 2016, while mobilizing the estimated budget for 2017 should be the subject of an appropriate mobilization strategy requiring the contribution of partners and other third-party contributors as well as member States.

174. A joint committee comprising members of the three institutions had therefore been set up to develop the strategy, which would be presented at the conference of partners, third-party contributors and member States on 26 and 27 July 2016 in Yaoundé.

175. At the initiative of the ECCAS secretariat, the Committee had met at the headquarters of the Interregional Coordination Centre and had decided to focus its efforts on the following aspects:

- Defining a resource mobilization strategy;
- Developing the programmes validated by senior officials in February 2016;
- Preparing the third meeting of partners and third-party contributors, scheduled for 26 and 27 July 2016 in Cameroon;
- Considering the practical modalities for participating in the meeting of the Group of Seven Group of Friends of the Gulf of Guinea, scheduled to take place on 6 and 7 June 2016 in Lisbon.

176. In the long term, self-funding mechanisms had been advocated for the Interregional Coordination Centre by offering products to maritime sector actors to alleviate the burden on member States. In terms of ECCAS, the secretariat had decided to send a delegation to Lisbon to lobby partners of the Group of Seven Group of Friends of the Gulf of Guinea in order to encourage them to participate in

the conference of partners and other third-party contributors, scheduled for 26 and 27 July 2016 in Cameroon. Lastly, the heads of the three institutions had committed to have the Centre's start-up team in place from July 2016.

177. The Director of CRESMAC gave an additional presentation on the history, status, operations, challenges and needs of CRESMAC. He particularly stressed the need to:

- Convene a meeting of naval chiefs of staff of ECCAS countries at CRESMAC headquarters in Pointe-Noire, with a view to developing: (i) the SECMAR 3 plan; (ii) the technical agreement between ECCAS and Zone A countries; (iii) the headquarters agreement between the Multinational Maritime Coordination Centre for Zone A and ECCAS; and (iv) a working framework between the Interregional Coordination Centre and CRESMAC;
- Activate the Multinational Maritime Coordination Centre for Zone A during 2016, in correlation with the SECMAR 3 plan;
- Replenish CRESMAC equipment;
- Finish filling CRESMAC posts;
- Activate the holding of a maritime conference in the ECCAS area;
- Relaunch the mechanism for financing the operation of CRESMAC;
- Provide training sessions, including those offered by the Interregional Maritime Security Institute in Abidjan and other centres of excellence.

178. The Coordinator of the Interregional Coordination Centre presented the history of the Yaoundé process, the various stages leading to the implementation of the Centre in July 2016, and the follow-up to the recommendations of the Yaoundé Code of Conduct signed, inter alia, by most States members of the Committee. He emphasized the financial, material and human challenges the Centre was facing a few weeks before the start of its activities.

IX. Poaching in Central Africa

179. The representative of Gabon recalled the adoption of the Libreville Declaration on combating poaching in Central Africa on 26 November 2015. He noted that the Declaration had requested the ECCAS secretariat to prepare a presentation on that issue at the forty-second meeting of the Committee.

180. The representative of Gabon recalled the adoption on 30 July 2015 of General Assembly resolution 69/314, entitled "Tackling illicit trafficking in wildlife", submitted by Gabon and Germany and co-sponsored by 70 Member States, including those of the Central African subregion, and which established a direct link between environmental, socioeconomic and security dimensions.

181. Intensifying the fight against poaching had resulted in a decrease in major offences. It was characterized by strengthening regulation, increasing prosecutions and intensifying international cooperation. In that regard, Gabon was benefiting from international assistance, including from the United Kingdom, which was training Gabonese eco-guards operating in the 12 national parks. The private sector

was also contributing, including through a partnership between Total and Compagnie des bois du Gabon.

182. The representatives of Angola, Cameroon, the Central African Republic, Chad, the Congo and the Democratic Republic of the Congo also shared their experience in that area. It appeared that a strong response by the security forces, combined with close regional cooperation, a robust legal and judicial framework, the involvement of affected populations and the tracking of animals using global positioning system collars — considered a best practice as implemented in Zakouma National Park in Chad — were proving to be effective measures to curb the problem.

X. Combating drug trafficking and transnational organized crime in Central Africa

183. Consideration of the item was postponed until the forty-third meeting of the Committee.

XI. Thematic discussion: National mechanisms for the management and regulation of crises and tensions in Central Africa

184. The topic had been proposed by the outgoing Chair of the Committee, Gabon, in a letter sent to all member States on 21 March 2016. Guided by an ongoing concern to establish social peace, the highest Gabonese authorities had set up strong and credible institutions aimed at ensuring political and social stability in the country. The national institutions or mechanisms designed to ease tensions, prevent various crises and resolve conflicts within society included the National Council for Democracy and the Mediator of the Republic.

185. In 1993, following electoral disputes in the aftermath of the presidential election won by the late President Omar Bongo Ondimba, and in a spirit of political dialogue, social cohesion and strengthening of the rule of law, the Paris Agreements had been signed in October 1994 by the entire Gabonese political class. On 15 April 1996, Act No. 13/96 establishing the National Council for Democracy was adopted. That Act had been enhanced by Ordinance No. 001/PR/2015 and ratified by Act No. 004/2015 of 27 June 2015, which mainly focused on its membership and tasks. The Head of State thereby offered a collaborative workspace open to diverse views which aimed to transcend dialectical contradictions through a debate of ideas.

186. The National Council for Democracy ensured the maintenance of political and social cohesion and peace and security. It provided a framework for permanent and inclusive political dialogue and a consultative body for mediation in conflicts between actors and political parties. It was responsible for the following:

- Developing and enforcing a code of conduct for use by national political actors. The code organized the behaviour of political actors during regular periods and electoral periods;
- Providing conflict mediation for political actors and parties;
- Ensuring compliance with the Paris Agreements;

- Proposing to the executive and legislative branches any action that could contribute to the promotion of democracy;
- Issuing opinions on draft texts that could contribute to the promotion of democracy, proper functioning of political parties and improvement of the electoral process.

187. The National Council for Democracy comprised:

- Leaders of legally recognized political parties;
- The Prime Minister;
- The President of the National Assembly;
- The President of the Senate;
- Former Prime Ministers;
- Former Presidents of the National Assembly;
- Former Presidents of the Senate.

188. In a submission dated 18 February 2016, the President of Gabon had noted that, despite its legal existence, the National Council for Democracy had remained in a lethargy that politicians of all political persuasions had deplored. He had therefore requested the Government to make every effort to ensure that the body was truly integrated into the institutional life of the Republic, in order for it to be active, operational and viable. The National Council had subsequently adopted a code of conduct for political parties.

189. Act No. 043/2010 of 2 May 2011 on the institution of the Mediator of Gabon stipulated that the mandate of the Mediator was to carry out the functions of mediation, consultation and rights protection with administrations, local authorities, public institutions and any other public service organization. As such, the Mediator's responsibilities included:

- Hearing complaints from any natural or legal person feeling adversely affected by the functioning of State services;
- In times of crisis, seeking solutions to restore social peace;
- Encouraging a spirit of fairness in the application of texts;
- Contributing to the modernization of public services with proposals for the simplification of procedures, administrative reform, text updates and compliance with ethical principles and rules of public service.

190. The Mediator of the Republic therefore had two main functions:

- Reviewing administrative acts and functioning of the administration;
- Arbitration and conciliation. As such, the Mediator had the authority to amicably resolve disputes between citizens and administrations or other bodies with a public service mission.

191. The Central African Republic, the Congo and Rwanda shared their experience in the area of the management and resolution of crises, which included international mechanisms under the leadership of the United Nations Security Council, regional mechanisms under the auspices of ECCAS, and national mechanisms through

inclusive dialogues, State institutions such as the Mediator of the Republic and informal and ad hoc structures. Speakers emphasized the imperatives of inclusiveness, resourcefulness and flexibility.

192. The African Union recalled that the African continent also had a peace and security architecture, including a Peace and Security Council and a Panel of the Wise.

XII. Briefings by bodies with observer status in the Committee

193. Representatives of the Subregional Centre for Human Rights and Democracy in Central Africa and MINUSCA gave the Committee brief overviews of their mandates and activities to promote peace and stability in Central Africa.

Subregional Centre for Human Rights and Democracy in Central Africa

194. After thanking the States members of the Committee for their multifaceted support to the implementation of the mandate of the Subregional Centre for Human Rights and Democracy in Central Africa, the representative reviewed the situation of human rights and democracy in certain States in the subregion. The Centre welcomed the actions undertaken, with the support of many partners, including UNOCA, in the areas of capacity-building, advocacy and technical support for Governments, parliaments, national human rights institutions, electoral bodies, civil society organizations and the media in the countries of the subregion. Since the previous meeting of the Committee, the Centre had made the following comments on the thematic priorities of the United Nations High Commissioner for Human Rights for the 2014-2017 programme cycle:

Early warning and protection of human rights in situations of conflict, violence and insecurity

195. The Centre highlighted the progress made in the fight against Boko Haram and expressed its concern regarding allegations of human rights violations in Burundi. It reaffirmed the need for States to ensure defendants the right to a fair trial and to take measures conducive to respect for human dignity in the treatment of prisoners.

Incorporation of human rights into development and economic affairs, with a focus on business and human rights, and the right to land, water and housing

196. The Centre noted the need to ensure the protection of the human rights of local populations and the social responsibility of companies involved in the exploitation of natural resources, in accordance with the United Nations Guiding Principles on Business and Human Rights.

Enhancement of international human rights mechanisms and progressive development of international human rights law and standards, with a focus on improving the visibility and accessibility of international human rights mechanisms

197. The implementation of human rights conventions, recommendations of treaty bodies, the universal periodic review and special procedures of the United Nations had progressed since the Committee's previous meeting. However, the Centre drew States' attention to the need to provide the necessary resources to offices responsible

for drafting reports and monitoring the implementation of conventions and recommendations. The offices responsible for drafting reports, for example in the Central African Republic, Chad, the Congo, the Democratic Republic of the Congo and Gabon, reported inadequate resources for the collection of data and the preparation and timely submission of reports to human rights mechanisms of the United Nations. States must make greater efforts and establish effective national mechanisms for the drafting of reports and the follow-up to recommendations of treaty bodies and the universal periodic review. To that end, the Centre welcomed the acceptance by the Rwandan authorities of 50 recommendations from the review process that they had implemented with concrete actions, including the adoption of a road map.

198. The Centre also noted with satisfaction that, during the reporting period, Gabon and Rwanda had moved towards establishing a national mechanism for the prevention of torture.

199. The Central African Republic had established a national committee on the prevention of genocide, war crimes, crimes against humanity and all forms of discrimination. The Centre welcomed efforts made at that level and wished to encourage the Central African authorities to continue working in that direction by establishing a national commission on human rights. The Central African authorities were invited to participate in the interactive dialogue on the situation of human rights in the Central African Republic at the Human Rights Council. That dialogue would take place in Geneva on 28 June 2016 in the presence of the Independent Expert, Ms. Marie Thérèse Keita Bocoum, whose seventh visit was scheduled to take place from 10 to 20 June 2016.

The broadening of democracy, with a focus on public freedoms and the protection of human rights defenders

200. The Centre reiterated its call to ratify and implement the African Charter on Democracy, Elections and Governance. It was important to recall the responsibility of States to promote and protect human rights before, during and after elections, in accordance with signed and ratified international and regional instruments. Regional consultations on the protection of civil and political rights and fundamental freedoms in electoral processes in Central Africa would take place at the end of September 2016 in Douala. States members of the Committee were invited to attend. The consultations would provide each delegation with the opportunity to present and share recent experiences, with a view to the mutual strengthening of national mechanisms to protect human rights, the holding of peaceful elections and conflict prevention in electoral processes.

201. On a general note, the Centre and the Ministry of Foreign Affairs of Cameroon proposed holding a preparatory meeting of delegates from States every two years to discuss and prepare the presentation of the report of the Secretary-General of the United Nations on the activities of the Centre, and on the related resolution. That meeting could be held in parallel with meetings of the Committee in June, a few months before the submission of the report and the consideration of the resolution on the Centre in New York.

202. The Congo noted that the Centre should also report positive developments with regard to human rights in Central Africa, such as the abolition of the death penalty enshrined in the new Constitution of the Congo.

United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic

203. The representative of MINUSCA shared with the Committee the Mission's contribution to the return to constitutional order and the end of the transitional period. During the reporting period, the Central African Republic had achieved significant milestones in its political transition.

204. The representative of MINUSCA presented the different activities carried out by the Mission, in collaboration with members of the United Nations country team and national and international partners, to promote a political and security environment conducive to the holding of the elections. In addition to significant logistical support throughout the country, the Mission had, for example, provided technical support to the National Electoral Authority both at the headquarters level in Bangui and in the field through 17 regional electoral offices. With regard to political support, the Mission had organized briefing sessions for presidential candidates in collaboration with the Authority. The police and the MINUSCA force had contributed to the peaceful conduct of the elections. Significant efforts had been undertaken by the United Nations, in particular by UNHCR, to enable refugees in neighbouring States to participate in the electoral process.

205. The representative of MINUSCA commended the prompt establishment of the new Government, which had immediately started work. He welcomed the President's initial contact with the armed groups and noted that MINUSCA had provided logistical support to that dialogue. He also recalled that, following the end of the transition, a strategic review of the mandate of the Mission was ongoing and that recommendations would be presented for the renewal of the mandate, which would expire on 31 July 2016. The representative also welcomed the adoption on 17 May 2016 of an order establishing a technical committee for the preparation of the new mutual commitment framework in the Central African Republic.

206. MINUSCA comprised 1,200 civilian staff members, 2,034 police officers and 10,352 soldiers deployed throughout the country, particularly in the Mission's 12 field offices. The protection of civilians remained the priority focus of the Mission. In response to potential threats of physical violence against civilians during the electoral period, the Mission had mainstreamed the protection of civilians into its integrated electoral security plan. More generally, the protection of civilians throughout the country had remained, and would remain, the Mission's key priority.

207. MINUSCA had supported the Strategic Committee for Disarmament, Demobilization and Reintegration and Security Sector Reform, comprising national and international partners, in implementing relevant recommendations of the Bangui Forum. MINUSCA had provided logistical and technical support to the establishment and the work of the ad hoc national committee on the draft national security policy in collaboration with other representatives of the international community involved in the process. On 17 March 2016, the Strategic Committee had endorsed the draft national security policy. MINUSCA had also provided technical and logistical support to the efforts of the transitional authorities to make progress on disarmament, demobilization, repatriation and reintegration. The launch of the pre-disarmament, demobilization and reintegration phase, in preparation for the national disarmament, demobilization, repatriation and reintegration programme, had contributed to reducing violence in the communities concerned and injecting money into local economies. To date, approximately 3,000 former combatants had

already been registered and the Mission had already disbursed US\$ 6 million for the programme.

208. The representative of MINUSCA confirmed the destruction in 2015 and 2016, by the United Nations Mine Action Service, of more than 165,000 unexploded ordnance and 193 tons of commercial explosives, and the neutralization of 1,537 explosives and various shells. The Mission had renovated armouries in five police, gendarmerie and prison facilities. It had also completed construction of an armoury accommodating up to 1,000 weapons and a temporary depot to store hazardous munitions away from the population. The Mission had also carried out programmes, reaching 230,000 persons, to raise awareness of the risk of weapons and explosives.

209. The representative called on all participants to remain committed to working alongside Central Africans and requested all national and international stakeholders to support the new Government in the necessary reforms in governance, security, rule of law, human rights, the fight against impunity and national reconciliation. Lastly, the representative suggested that the Committee should include the theme of migration in the agenda of its forty-third meeting.

210. Delegates emphasized the need for regional support to the recovery of the Central African Republic.

XIII. Report by the secretariat of the Economic Community of Central African States on institutional developments in subregional peace and security structures and mechanisms and on the development of strategic partnerships

211. The representative of the ECCAS secretariat explained that finalization of COPAX, which predated the establishment of the Peace and Security Council of the African Union, was still under way. The Central Africa Early Warning Mechanism was operational, while the Defence and Security Commission had been holding regular meetings. The Central Africa Multinational Force, certified by the African Union, was also operational. A workshop would be held in Yaoundé from 13 to 15 June 2016 on the revision of the COPAX texts, pursuant to the decision of the ECCAS Summit of Heads of State and Government which had been held at N'Djamena on 25 May 2015.

212. The ECCAS secretariat had recently renewed its partnership with UNOCA and established a new partnership with ICGLR, in addition to its long-standing partnerships with the African Union and the European Union.

XIV. Report by the United Nations Entity for Gender Equality and the Empowerment of Women on the status of implementation in Central Africa of Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009)

Situation of women

213. Women in the Central African region had been affected in various ways by the cycles of conflict and insecurity. In addition to their disproportionate presence

among the victims, displaced persons and refugees, women had been the targets of sexual violence and were often used as a weapon of war. In Cameroon and Chad, Boko Haram was massacring civilians and abducting women and children during the looting of villages. As populations had been driven to migrate, many refugee and displaced women and children were facing specific threats, making them vulnerable to sexual and gender-based violence.

214. A strong cultural resistance to gender equality in the region had also contributed to a high rate of gender-based violence. The stigmatization of women victims of violence had resulted in very low rates of reporting to the police, while women who reported violence faced difficulties in accessing justice. In refugee camps, women and girls were suffering from inadequate sanitary conditions and supplies, and a lack of maternal and reproductive health services. The enrolment of girls in primary school was 17 points below the global rate in areas affected by conflict. At the political level, women in the region were systematically excluded from formal peace processes. The complete absence of women from the delegations of parties to the formal peace process in the Central African Republic was one such example.

Reasons to involve women in peace and security

215. Fifteen years after the adoption of Security Council resolution 1325 (2000), in 2015 the Secretary-General of the United Nations had requested a comprehensive study to evaluate the implementation of the resolution and to chart the way forward. According to the study, the inclusion of women in peace processes had created an impetus for the commencement, resumption or finalization of negotiations. The analysis of 40 peace processes since the end of the Cold War showed that, when women had been able to exercise significant influence over the process, as had been the case in the Democratic Republic of the Congo and in Kenya, it was more likely to result in an agreement that would be implemented. Moreover, peace agreements were 64 per cent more likely to succeed if representatives of civil society were involved. That reality had yet to reach peace processes in Central African countries, where peace remained the preserve of male leaders. The results of the comprehensive study also suggested that the conflict-affected countries that subsequently sought to engage most quickly in the economic recovery and poverty reduction process were those with the highest degree of empowerment of women. In Rwanda, initiatives to increase the leadership of women farmers and their access to mentoring services had led to an increase in production, allowing women to better contribute to national food security and improve their status in the community.

216. The implementation of resolution 1325 (2000) and subsequent resolutions in Central Africa was supported by a broad framework of instruments and policies relevant to women and peace and security at all levels. At the continental level, that framework included the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) and the Solemn Declaration on Gender Equality in Africa. In 2002, the mandate of ECCAS had also been expanded to include the promotion of peace, security and stability.

Current state of implementation: participation and contribution of women in key sectors in Central Africa

217. To date, the implementation of mandates on women and peace and security remained unequal. While progress had been noted in some areas, such as efforts to increase women's representation in the security sector in some countries, many challenges remained. Women's inclusion in peace processes and violence against women in conflict and post-conflict settings remained major challenges. Currently, only three countries in Central Africa had national action plans to guide the implementation of resolution 1325 (2000): Burundi, the Democratic Republic of the Congo and Rwanda.

Protection

218. Sexual and gender-based violence continued to threaten the safety of women in Central African countries, particularly those affected by conflict. Since the beginning of the crisis in the Central African Republic, many observers and field studies had highlighted the atrocities against women, including sexual violence. The violence that was common in households and refugee settlement sites had caused trauma that had not been addressed by the authorities, such as HIV infections and pregnancies resulting from rape. In eastern Democratic Republic of the Congo, sexual violence continued to threaten the safety of women, while in Cameroon 55 per cent of women over 15 years of age claimed to have been victims of violence. To address those high rates of violence against women, many countries like Rwanda had introduced units specializing in gender-based sexual violence within their police forces, with officers trained to manage such situations.

Justice and security

219. Women remained underrepresented in the area of security in Central Africa. Only four countries had police forces in which more than 20 per cent of officers were women, while the level of representation of women in the military forces was on average 2 to 3 per cent for most Central African countries. However, positive developments had been observed in some countries that had adopted national action plans for the implementation of resolution 1325 (2000). In recent years, the judiciary had seen some positive trends in the representation of women. In most countries where data were available, women constituted between 20 and 40 per cent of that sector. In Burundi, for example, women made up 25 per cent of the judiciary, while in Rwanda 70 per cent of High Court judges were women.

Political participation

220. Political participation was one of the pillars of the implementation of resolution 1325 (2000). In the Central African region, Burundi and Rwanda had established specific quotas for the representation of women in parliament, while other countries had allocated a certain number of seats for women. In January 2014, Burundi and Rwanda were in the top 30 countries in the world in terms of the percentage of women in ministerial positions. In Rwanda, 56 per cent of parliamentarians and 37 per cent of ministers were women. Even in countries that had not passed laws on quotas, the representation of women had increased, as in Cameroon, where 31 per cent of parliamentarians were women.

Civil society engagement

221. The engagement of civil society was vital for an inclusive and sustainable peace process. In the countries of the Central African region, some progress had been made to increase the participation of civil society women's networks, although a more significant commitment remained to be made. In Burundi, women had set up a national network of women mediators that had proved effective in preventing violence at the local level, mitigating the impact of political crises on populations. The network had intervened in over 3,000 local conflicts between January and May 2014. In Rwanda, civil society had been represented in the working group on the national action plan by the Profemme-Twese Hamwe umbrella organization and the Collective of Human Rights Leagues and Associations. Those two organizations accounted for 74 per cent of the working group and had played an important role in the development and adoption of the national action plan. In the Central African Republic, women's non-governmental organizations had been at the forefront of support for victims of gender-based sexual violence resulting from the conflict.

Conclusion

222. Despite some progress in the implementation of resolution 1325 (2000) and related mandates in the region, many challenges remained. Women were still on the periphery of decision-making in peace processes, operating mostly informally. Sexual and gender-based violence remained present, and the lack of reliable data and the fact that violence often went unreported were obstacles to resolving that problem. The importance of gender-related reforms within security sector institutions was also central to ensure that the safety priorities of women in conflict and post-conflict situations could be taken into account. The fact that most countries in the region had not adopted a national action plan to facilitate the implementation of mandates on women, peace and security prevented them from developing coherent and coordinated national responses.

223. Continued investment in building the capacity of women's organizations remained a priority in the region, particularly at the local level. Reliable funding was required to enable those organizations to provide services to conflict-affected populations and support the empowerment of women. The support of the United Nations and regional and international organizations was also of crucial importance in that regard.

Recommendation

224. The Committee encouraged its member States to take the necessary steps with a view to adopting national action plans for the effective implementation of resolution 1325 (2000) and to report at each meeting of the Committee on the progress made in that regard.

XV. Review of the financial situation of the Committee: implementation of the Libreville Declaration by member States

225. The secretariat distributed to Committee members a table on the status of contributions to the Trust Fund since its establishment (see annex 2). Only Angola and the Congo were current with their contributions to the Trust Fund. Member States expressed their regret over the current situation and reaffirmed their

commitment to make their annual contributions to the Trust Fund. The Committee secretariat urged member States to submit any documents relating to any recent contributions. States members of the Committee adopted a declaration on a binding annual contribution (see annex 3).

226. The banking details of the Trust Funds were as follows:

Bank: J.P. Morgan Chase, International Agencies Banking

Address: 1166 Avenue of the Americas, 17th Floor, New York, NY 10017, United States of America

Account Name: United Nations General Trust Fund Account

Account Number: 485-001969

ABA routing number: 021-000-021

Swift Code: CHASU33

Beneficiary: SQA Trust Fund of the United Nations Standing Advisory Committee on Security Questions in Central Africa

XVI. Venue and date of the next meeting

227. The Committee decided that the forty-third ministerial meeting would be held in Sao Tome. The exact dates would be announced subsequently through diplomatic channels.

XVII. Other matters

228. Equatorial Guinea suggested that the African Centre for Studies and Research on Terrorism, the Committee of Intelligence and Security Services of Africa and INTERPOL should be invited to the Committee's next meeting.

229. The States members of the Committee encouraged ECCAS to develop and continue cooperation with ECOWAS on security issues, including counter-terrorism.

XVIII. Adoption of the report of the forty-second ministerial meeting

230. The Committee adopted the present report, including the Bangui Declaration (see annex 3), on 10 June 2016 in Bangui.

XIX. Expression of thanks

On behalf of the Committee, the following expression of thanks was read out by the Minister for Foreign Affairs of Chad, Ms. Madeleine Alingué:

"We, the ministers and members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, gathered on the occasion of the forty-second ministerial meeting of the Committee, held from 6 to 10 June 2016 in Bangui:

- Reaffirm our attachment to the ideals of peace, security and stability that are so necessary for our respective peoples and for the socioeconomic development of our subregion;
- Welcome the efforts made by our countries, individually and collectively, to promote peace, security, stability and development;
- Welcome the atmosphere of conviviality, brotherhood and mutual trust which has prevailed throughout our work;
- Express our sincere thanks and our profound gratitude to Mr. Faustin-Archange Touadera, President of the Republic, and to the Government and people of the Central African Republic, for the warm and fraternal welcome that we have received during our stay in the Central African Republic."

Annex 1**Status of implementation of the recommendations of the forty-first meeting of the Committee**

<i>Recommendations</i>	<i>Body responsible</i>	<i>Status</i>
All States that have not yet done so should ratify the Kinshasa Convention as soon as possible, so that it may enter into force.	Member States	According to the United Nations, no instrument of ratification has been deposited since 27 November 2015.
All States that have not yet done so should sign and ratify the Arms Trade Treaty.	Member States	According to the United Nations, no instrument of ratification has been deposited since 27 November 2015.
A joint summit should be held with ECOWAS with a view to developing a joint strategy to combat Boko Haram, in accordance with the decisions taken by the Heads of State at the extraordinary summit of COPAX held in Yaoundé in February 2015.	ECCAS secretariat/ member States	Under way
Member States should take the necessary measures to remain current with their financial obligations to the Committee and in keeping with the spirit of the Libreville Declaration, including through gradual clearance over the period covering the next two Committee meetings, and by December 2016 at the latest. It was noted that the amount of annual contributions to the Trust Fund has been set at a minimum of US\$ 10,000.	Member States	Only the Congo has contributed US\$ 50,000 to the Trust Fund since 27 November 2015. Only Angola and the Congo are current with their contributions.
A specific thematic debate should be included on the agenda of future meetings. That theme will be chosen in advance of each meeting by member States and submitted to the Secretariat.	Member States	At the initiative of Gabon, a thematic debate on "national mechanisms for the management and regulation of crises and tensions in Central Africa" will be held on Tuesday, 7 June.

Annex 2

Table showing the status of contributions to the Trust Fund since its establishment

<i>Year</i>	<i>Member States (in alphabetical order)</i>	<i>Amount in USD</i>
1998	Germany	48 996
2015	Angola	40 000
2011	Angola	10 000
2010	Angola	10 000
1997	Cyprus	1 000
1997	Gabon	1 932
2012	Gabon	30 000
1998	Ireland	15 000
1998	Italy	30 000
1996	Japan	600 000
1998	Norway	30 355
1998	Portugal	10 000
2016	Congo	50 000
2011	Congo	10 961
2010	Congo	9 299
2002	Czech Republic	15 000
1998	United Kingdom	35 000
2011	Sao Tome and Principe	25 273
1999	Sweden	10 000
1997	Chad	1 742
Total		982 817
Balance as at 6 June 2016		116 267

Annex 3

Declarations

Bangui Declaration

We, the ministers and heads of delegation of the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, gathered in Bangui, Central African Republic, from 6 to 10 June 2016, on the occasion of the forty-second ministerial meeting of the Committee,

Having reviewed the geopolitical and security situation in the Central African subregion,

1. Note with satisfaction the return to constitutional order in the Central African Republic;
2. Welcome the improved security situation throughout the country despite the numerous challenges still to be overcome, which call for vigilance on the part of the States members of the Committee and the entire international community;
3. Encourage the Central African authorities to spare no effort in the pursuit of peace and the restoration and consolidation of State authority throughout the country;
4. Pay tribute to the people of the Central African Republic, who demonstrated, peacefully and enthusiastically, their will to return to democratic order and to overcome the crisis through their participation in the constitutional referendum and the presidential and parliamentary elections held in December 2015 and February and March 2016;
5. Commend the transitional authorities for doing everything in their power to hold successful democratic elections;
6. Congratulate Mr. Faustin Archange Touadera on his election as President of the Central African Republic, reiterate our full support for the accomplishment of his task of rebuilding the country and commend his commitment to the national reconciliation process;
7. Urge all political actors and civil society organizations to participate in a dialogue and engage wholeheartedly in the disarmament, demobilization, reintegration and repatriation process with a view to playing their full role in strengthening democracy and peacebuilding;
8. Encourage the Government of the Central African Republic to reactivate the National Commission against the Proliferation of Small Arms and Light Weapons;
9. Welcome the commitment of the States members of the Economic Community of Central African States, which have stood shoulder to shoulder with the Central African Republic since the beginning of the crisis;

10. Express our gratitude to Mr. Denis Sassou Nguesso, President of the Congo, for his role as International Mediator in the Central African Republic crisis;
11. Express our gratitude to the Economic Community of Central African States, the African Union, the European Union, the United Nations, technical and financial partners and all those who, directly or indirectly, provided various forms of support to the Central African Republic and urge them to remain engaged and to continue their efforts to support the process of reconstruction, peacebuilding and restoration of the rule of law.

Bangui, 10 June 2016

Declaration regarding a binding annual contribution from States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa

We, the ministers and heads of delegation of the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, gathered in Bangui, Central African Republic, from 6 to 10 June 2016, on the occasion of the forty-second ministerial meeting of the Committee,

Deeply concerned by the Committee's financial situation and by the inadequacy of the contributions to the Committee's Trust Fund,

Bearing in mind the Libreville Declaration on the Trust Fund adopted at the twenty-eighth ministerial meeting of the Committee on 8 May 2009,

Request our Heads of State and Government:

- (a) To rule on the binding nature of the contribution from each State member of the Committee with a view to ensuring its optimal and efficient functioning;
- (b) To set the amount of this contribution at US\$ 10,000 per State per year.

Bangui, 10 June 2016



General Assembly

Distr.: General
22 July 2016

Original: English

Seventy-first session

Item 15 of the provisional agenda*

**The role of the United Nations in promoting a new global
human order**

The role of the United Nations in promoting a new global human order

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution 69/202, highlights the efforts of the United Nations system to reduce inequality and promote human development globally, in particular in the context of the post-2015 development agenda. The report first reviews recent levels and trends in inequalities of opportunity and outcome and their impacts on social and economic development. It then provides a succinct assessment of how the question of inequality has been addressed in the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda, the Sendai Framework for Disaster Risk Reduction 2015-2030 and the Paris Agreement, and reviews the work of the United Nations system in taking better account of and addressing inequality at the global level. The report concludes with a set of recommendations for promoting the new global human order within the context of the 2030 Agenda for Sustainable Development.

* A/71/150.



I. Introduction

1. The concept of a new global human order, which was first proposed by the Government of Guyana at the World Summit for Social Development in Copenhagen in 1995, has since been supported by a number of international forums, including the Caribbean Community, the Movement of Non-Aligned Countries and the Group of 77 and China.

2. The new global human order was first discussed in the General Assembly during the South Summit held in Havana in April 2000. In its resolution 55/48, the Assembly took note of the Declaration of the South Summit (A/55/74, annex I), which stressed, inter alia, the need for a new global human order aimed at reversing the growing disparities between rich and poor both among and within countries through the promotion of growth with equity, the eradication of poverty, the expansion of productive employment and the promotion of gender equality and social integration.

3. Many of the elements of the new global human order echoed the outcomes of the World Summit for Social Development, the Millennium Summit and other development conferences of the time. These elements, in particular eradicating poverty, putting people at the centre of development efforts, combating inequality and promoting inclusion, are again found in the 2030 Agenda for Sustainable Development (see General Assembly resolution 70/1).

4. In the present report, recent levels and trends in inequality and their impacts on social and economic development are reviewed to set the context for considering the role of the United Nations in promoting a new global human order. The report then provides a succinct assessment of how the question of inequality has been addressed in the formulation of the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda (General Assembly resolution 69/313, annex), the Sendai Framework for Disaster Risk Reduction 2015-2030 (resolution 69/283, annex II) and the Paris Agreement (see FCCC/CP/2015/L.9/Rev.1). It concludes with a set of recommendations for promoting the new global human order.

II. Overview of the situation of inequality

5. The discussion of inequality distinguishes three aspects of the concept: (a) "within-country inequality", which refers to the gap between the rich and the poor within each country; (b) "international inequality" or "between-country inequality", which refers to the differences between countries in terms of average income or output, assuming that there is no inequality within each country, that is, each person in each country has the same income or output; and (c) "global inequality", which refers to inequality across world individuals, taking into account within- and between-country inequality forces.¹

6. Within countries, in addition to the vertical inequality between individuals according to their income group, two other dimensions of inequality are also part of the debate: horizontal inequality between social groups, and spatial inequality between areas of residence and regions.

¹ Branko Milanovic, "Global inequality recalculated: The effect of new PPP estimates on global inequality and 2005 estimates", *Journal of Economic Inequality*, vol. 10, No. 1 (2012), pp. 1-18.

7. The 2030 Agenda for Sustainable Development considers inequality as a broad concept that goes beyond income and wealth inequality and includes all aspects of social, political and economic exclusion. This multidimensional nature of inequality is recognized in the discussion on inequality, which also distinguishes between inequality of outcomes, as measured by disparities in levels of various material outcomes, such as income, wealth and expenditure; and inequality of opportunities, as manifested in various forms of social exclusion, including differences in access to decent employment, education, health care and social and financial services.

A. Trends in inequality of outcomes

8. Income inequality is the most used indicator of inequality of outcomes because it is one of the most visible and measurable aspects of inequality. Moreover, income is the joint outcome of many social and economic factors such as human capital, productivity, labour market conditions, inequality in wages (such as the gender wage gap) and other institutional aspects (including professional associations, collective bargaining or its absence, minimal wage laws, etc.). This is particularly true in market-dominated economies.

9. Income inequality is typically measured by the Gini² index of the distribution of income, or by comparing the income shares of different income subgroups in the population (for example, by decile or quintile).

10. For the first time in almost 200 years, global income inequality has started a slight downward trend in the past decade, with the Gini index of income decreasing by 1.4 points between 2002 and 2008. However, global inequality is still at a very high level and much greater than inequality within any country: the global Gini index was estimated to be slightly below 0.7 in 2008, as compared to slightly over 0.6 in South Africa, the world's most unequal country, and 0.4 in the Russian Federation and United States of America, the countries with the highest income inequalities in the developed world. The level of global inequality is such that the richest 8 per cent owns half the income of the whole world, as compared to the richest 22 per cent taking half the income of the whole country in the United States.³

11. More than two thirds of global inequality is explained by intercountry disparities in per capita income and only a third by inequality within countries. Thus, "location" (country of birth or country of residence), and not socioeconomic status or class, is responsible for the major share of global income inequality.⁴ The high level of global inequality shows that there are still large differences in income between countries.

12. The recent declining trend is related to rising average incomes in some emerging economies, especially in populous China and India, as a result of their high rates of economic growth during the last three decades. This growth lifted hundreds of millions of people out of poverty and made the mean per capita

² The Gini index (or coefficient) measures the degree of deviation from a perfectly equal distribution of the income distribution among individuals or households within an economy. A Gini coefficient varies between 0 and 1, with a value of 0 representing perfect equality and a value of 1 implying absolute inequality.

³ Branko Milanovic, "Global income inequality in numbers: In history and now", *Global Policy*, vol. 4, No. 2 (2013), pp. 198-208.

⁴ Ibid.

incomes of these developing countries converge towards that of advanced economies. In contrast to the progress in income convergence between Asia (and to a lesser extent Latin America) and the developed regions, the average per capita income has not changed in Africa (about 12 per cent of per capita income in developed countries since 1990) and has slightly regressed in Oceania (going from 15 per cent of per capita income in developed countries in 1990 to 14 per cent in 2014).⁵

13. Similarly to global inequality, international inequality in income distribution increased steadily between 1980 and 2000 (from around 0.52 to 0.58), and has slightly declined since then to reach 0.56 in 2010, when measured by the unweighted average of the Gini indexes of the per capita GDP of each country. When the Gini values are weighted by population size, and when China is excluded from the computations, the level of international inequality is higher but follows the same trend patterns as above.⁶

14. Although global and international inequalities in income are falling, disparities within countries are widening in half the countries of the world. Between 1990 and 2012, Gini indexes of the distribution of disposable income (income remaining after taxes and other charges are deducted) rose in 65 out of 130 countries with available data.⁷ More than two thirds of the world's population reside in these countries. Income inequality has generally increased in countries and regions that enjoyed relatively low levels of inequality in 1990, such as the large majority of developed countries (including Nordic countries with traditionally low levels of inequality) and some large, emerging countries in Asia, Africa and Eastern Europe. The Gini index rose in 17 out of 22 countries of the Organization for Economic Cooperation and Development (OECD) with data, going on average from 0.29 in the mid-1980s to 0.32 in 2013.⁸ Similarly, income inequality rose in 18 out of 31 countries with data in Asia (a region that has historically experienced lower inequality than other developing regions) between 1990 and 2012, especially in China, where the Gini index went from 0.256 to 0.352.⁹

15. In contrast, income inequality has declined in many countries that still suffer from high inequality, located mainly in Latin America, the region with the highest level of income inequality in the world. In Latin America, the average Gini index fell from 0.507 in 2010 to 0.491 in 2014, that is, by 0.8 per cent per year, as a result of a significant change in the index in 9 of the 16 countries with data.¹⁰ Using night lights as a proxy for income, a study found that the Gini index for inequality rose during the decade between 1992 and 2003 but then fell steadily between 2004 and

⁵ Department of Economic and Social Affairs of the Secretariat, "Technical paper for ECOSOC Special Meeting on Inequality" (New York, 2016). Available from www.un.org/ecosoc/sites/www.un.org/ecosoc/files/files/en/2016doc/inequality-meeting-technical-paper.pdf.

⁶ *Report on the World Social Situation 2013: Inequality Matters* (United Nations publication, Sales No. 13.IV.2).

⁷ *Ibid.*

⁸ OECD, *In It Together: Why Less Inequality Benefits All* (Paris, 2015).

⁹ Asian Development Bank, *Asian Development Outlook 2012: Confronting Rising Inequality in Asia* (2012).

¹⁰ Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America* (2015). Available from http://repositorio.cepal.org/bitstream/handle/11362/39964/1/S1600226_en.pdf.

2012 across countries in Africa,¹¹ the region that contains 7 of the 10 most unequal countries in the world.

16. Economic growth and policy reforms that raised tax revenues, direct cash transfers to families in need and minimum wages were the main factors contributing to the decline in Latin America's inequality levels. In Brazil, for example, these factors, in conjunction with favourable demographic trends such as a decline in fertility levels and the accompanying fall in dependency ratios, as well as improved access to education, helped to reduce inequality. In particular, the workforce gained more equal access to education starting in the 1990s, allowing the country to benefit from its demographic window of opportunity.

17. Income ratios between the top and bottom groups of the national income distribution reveal a similar pattern. Between the mid-1980s and 2010, the average disposable income of the richest 10 per cent went from 7 times higher to 9.5 times higher than the income of the poorest 10 per cent of the population across OECD countries.¹² In South Africa, where the value of the Gini index is the highest among all countries, the income of the richest 10 per cent of the population grew to become 47 times as high as the income of the poorest 10 per cent in the late 2000s. In Latin America, by contrast, the per capita income of the richest 10 per cent of the population fell from 15.6 times to 14 times as great as that of those in the poorest 40 per cent between 2010 and 2014.¹³

18. It should be pointed out that in countries where inequality has narrowed, it remains at a very high level. In countries where inequality has widened, it has done so mainly because the income of the top earners has increased faster in both developed and developing countries. In other words, economic growth has increasingly benefited disproportionately the already better-off in society, thus widening the gap between the rich and the poor. Of the total growth in incomes (before taxes) that occurred between 1975 and 2012, the proportions that went to the top 1 per cent of income earners were very high in a number of developed countries: 47 per cent in the United States, 37 per cent in Canada and over 20 per cent in Australia and the United Kingdom of Great Britain and Northern Ireland. In other countries, the fruits of economic growth have tended to go more towards the top 10 per cent of income earners than towards the lowest 10 per cent.¹⁴ In practice, it is the middle class that has suffered the most from widening inequality, as demonstrated by the decline in the share of labour income — the predominant source of income for the majority of households — accruing to the middle fifth (middle 20 per cent) of households in many advanced economies and some large emerging market economies.¹⁵

19. A number of factors contribute to rising inequality of outcomes, including a wide gap between the wages of high- and low-income workers; fewer cash transfers

¹¹ Anthony Mveyange, "Night lights and regional income inequality in Africa", Working Paper No. 2015/085 (United Nations University, World Institute for Development Economics Research, 2015).

¹² OECD, *Divided We Stand: Why Inequality Keeps Rising* (Paris, 2011).

¹³ Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America* (2015).

¹⁴ Brian Keely, "What's happening to income inequality?" in *Income Inequality: The Gap Between Rich and Poor* (OECD Publishing, Paris, 2015).

¹⁵ Era Dabla-Norris and others, "Causes and consequences of income inequality: A global perspective", Staff Discussion Note SDN/15/13 (International Monetary Fund, 2015).

provided by the State; financial globalization, and foreign direct investment in particular, which can affect the level and dispersion of wages; technological change and the ensuing shifts in the skill requirements of jobs (increasing share of technology-intensive manufacturing in Asia, for instance); and rent-seeking behaviour, which tends to disproportionately allocate resources to the rich at the expense of the poorest.

B. Trends in inequality of opportunities

20. Another dimension of inequality is inequality of opportunities, which manifests itself in various forms of social exclusion and is typically measured by differences in access to services and indicators of outcomes resulting from such access. This aspect of inequality is often related to circumstances that are beyond one's control, such as gender, age, ethnicity, race, indigenous status, immigrant status, disability, country of birth, place of residence and family background, among others. Inequality of opportunities is critical in reducing inequality of outcomes.

21. Indeed, large disparities in health, educational and financial services in terms of outcomes and access still exist across and within countries. In general, outcomes resulting from access to these services are much better in higher-income countries than in lower-income countries. For instance, in 2015, the maternal mortality ratio was only 12 maternal deaths per 100,000 live births in developed regions compared to 546 and 176 maternal deaths in sub-Saharan Africa and Southern Asia, respectively. That is, the level of maternal mortality was 46 times as high in sub-Saharan Africa and 15 times as high in Southern Asia as in the developed regions. Similarly, great inequities in child mortality remain between rich and poor countries despite substantial narrowing of the absolute gap since 1990. In 2015, children born in sub-Saharan Africa were 12 times more likely than their counterparts in high-income countries to die before their fifth birthday.¹⁶ Although the difference in the average years of schooling completed between developed countries and developing countries has declined in the past 50 years, in 2010 that average was still four years higher in the former (11.3 years) than in the latter (7.2 years).¹⁷

22. Within countries, inequalities in health outcomes and health-care access exist mainly in developing countries, but also in some developed countries. Factors such as income, mother's education, birthplace, race and ethnicity continue to determine a child's survival chance. In the United States, infant survival is closely linked to race: infants born to African-American parents are more than twice as likely to die as those born to white parents. In developing countries, children from the poorest households are twice as likely to be chronically malnourished and to die before their fifth birthday as children from the richest households. Across much of sub-Saharan Africa and Southern Asia, children born to mothers with no education are almost three times more likely to die before they are five than those born to mothers with a secondary education. In developing countries, disparities in utilization of health care during and after the birth of a child mirror social disparities in child survival. On

¹⁶ Inter-Agency Group for Child Mortality Estimation, *Estimation, Levels and Trends in Child Mortality: Report 2015* (UNICEF, New York, 2015).

¹⁷ *Report on the World Social Situation 2013: Inequality Matters* (United Nations publication, Sales No. 13.IV.2).

average, women from the richest 20 per cent of households were still more than twice as likely as those from the poorest 20 per cent to have a skilled health-care practitioner present at birth delivery in 2015.¹⁸

23. Similarly, educational outcomes and access differ by level of income, mainly in developing countries but also in some developed countries. For example, in the United States, the gap in educational outcomes between rich and poor is widening as the cost of education is rising at all levels, from kindergarten to tertiary levels. In least developed countries, there are wide gaps in school attendance by income: nearly 90 per cent of children from the richest 20 per cent of households attend primary school, compared to only 60 per cent of children from the poorest 20 per cent of households.¹⁹ In Latin America, educational attainment gaps between income quintiles remain wide despite substantial progress in increasing education levels: the proportion of youth completing secondary education is around 80 per cent among the richest quintile, compared to just 34 per cent in the poorest quintile of the population.²⁰

24. Worldwide, youth, older persons, women and girls, indigenous peoples, persons with disability, rural residents and migrants continue to face inequalities in health, education and employment outcomes. They also face challenges in accessing quality health care, schooling, formal employment and financial and other social services, even in countries where such services are theoretically available to all citizens. Differences between urban and rural areas or between regions, also called spatial inequality, tend to be high and are a major contributor to overall inequality in many developing countries. For instance, children born in rural areas are almost twice as likely to die before age five as children born in urban areas.²¹

C. Impact of inequality on socioeconomic development²²

25. While it is accepted that a moderate level of inequality is beneficial to economic growth, high levels of income inequality and wide disparities in access to education, health, decent employment and other services have been shown to have harmful effects on a range of socioeconomic outcomes that include economic growth, levels of poverty, sustainability of development, education and health outcomes, democracy, social cohesion and peace.

26. Rising income inequality and social, political and economic injustices tend to undermine the growth process by contributing to economic instability. At the same time, economic growth is less effective in reducing poverty in high-inequality countries. The people who are at the bottom of the income distribution are very poor and do not usually have access to safe water and sanitation, electricity, adequate housing, education, health care and formal and decent jobs, which prevents improvements in their capabilities and productivity. Because of the lack of

¹⁸ UNICEF, *The State of the World's Children 2016: A Fair Chance for Every Child* (2016).

¹⁹ UNICEF, *The State of the World's Children 2015: Rethinking the Future — Innovation for Every Child*, executive summary (2014).

²⁰ Economic Commission for Latin America and the Caribbean, *Social Panorama of Latin America* (2015).

²¹ UNICEF, *The State of the World's Children 2016: A Fair Chance for Every Child* (2016).

²² For a more detailed analysis, see *Report on the World Social Situation 2013: Inequality Matters* (United Nations publication, Sales No. 13.IV.2).

opportunities, they cannot participate in productive activities and as a result, they are trapped in a vicious circle of low human capital, low productivity and poverty.

27. High economic inequality can lead to social exclusion, political instability and social and political strife owing to economic polarization and a feeling of exclusion. Members of certain social groups in vulnerable situations such as women, youth, older persons, rural residents, persons with disabilities, indigenous peoples, racial minorities and migrants are the ones who tend to be disproportionately affected by high social, economic and political inequalities. They also tend to be more exposed and vulnerable to environmental hazards, including those prompted by climate change.²³

28. At the international and global levels, the adverse effects of climate change hurt and will hurt low-income, African and least developed countries the most, thereby increasing and perpetuating inequalities.²⁴ Glaring inequality in social and economic outcomes and opportunities among countries calls for global action that is seen as a moral imperative, as articulated in the 2030 Agenda for Sustainable Development.

III. Efforts of the United Nations system to reduce inequality and promote human development globally

29. The United Nations system strives to assist countries in their efforts to eradicate poverty, and to strengthen global partnerships in support of peace and security, human rights and development for all. The present section focuses on the role of the United Nations system in promoting a new global human order through its analytical and normative work.

30. The past year has been a transformative one for addressing inequalities in terms of international standard-setting and norms. The international community, led by States Members of the United Nations and supported by the United Nations system, has focused intently on establishing an international agenda that will determine the nature of development until 2030. This new direction has been captured in several highly important global policy documents that jointly define the pathway to a sustainable future for all: the 2030 Agenda for Sustainable Development; the Addis Ababa Action Agenda of the third International Conference on Financing for Development; the Paris Agreement of the Conference of the Parties to the United Nations Framework Convention on Climate Change; and the Sendai Framework for Disaster Risk Reduction 2015-2030 of the Third United Nations World Conference on Disaster Risk Reduction.

A. The 2030 Agenda for Sustainable Development and inequality

31. In the 2030 Agenda for Sustainable Development, adopted by the General Assembly on 25 September 2015, the international community placed high priority on addressing inequality. States Members of the United Nations promised to leave no one behind in meeting the Sustainable Development Goals, emphasizing the need

²³ "Technical paper for ECOSOC Special Meeting on Inequality" (see footnote 5 above).

²⁴ *Ibid.*

to take inequality into account in all dimensions when assessing progress. In the 2030 Agenda, countries resolved to combat inequalities within and among countries. The fight against inequalities, as expressed in the Sustainable Development Goals, is a fight for human dignity, which is essential to the well-being of each person and central to sustainable development. Importantly, generational equality is a major aspect of the 2030 Agenda, which is intended to benefit present and future generations and eliminate the conditions that can sustain inequalities between generations.

32. The 2030 Agenda recognizes that inequalities are increasing throughout the world. Driving this increase are factors such as natural environmental shocks, migration, poverty, unemployment, violent conflicts, humanitarian crisis and gender inequality.

33. It stresses the significance of gender equality and the empowerment of women and girls. In addition, it highlights the vulnerable and unequal situation faced by children, youth, persons with disabilities, older persons, indigenous peoples, refugees and internally displaced persons and migrants.

34. Sustainable Development Goal 10 explicitly calls for the reduction of inequality within and among countries. The targets associated with Goal 10 include achieving and sustaining income growth of the bottom 40 per cent of the population; social, economic and political inclusion of all; equal opportunity and reduction of inequalities of outcome; and more just and equitable international financial institutions, including special and differential treatment for developing countries, especially the least developed countries.

35. Inequality is a cross-cutting issue in the 2030 Agenda. Most of the Sustainable Development Goals and their targets are linked to inequality through the use of terms such as “inclusive”, “equitable”, “for all” and “access”. The Agenda calls for ending poverty and hunger and other forms of deprivation. It calls for ensuring that everyone can live a healthy life with equitable access to quality education. The Goals promote the principle that everyone should have access to sustainable energy, water and sanitation, full and productive employment and justice and peace.

36. Gender equality is an important issue addressed in the 2030 Agenda. Efforts to improve it appear not just in Goal 5, which is devoted to this issue in particular, but also across a number of other goals and targets. Gender equality is called for in goals on eradication of poverty and hunger, health, education, water and sanitation, employment and cities and human settlements. While some targets emphasize equal access between men and women and the elimination of gender disparities, others pay particular attention to women.

B. The Addis Ababa Action Agenda and inequality

37. Inequality is a cross-cutting issue in the Addis Ababa Action Agenda, the outcome document of the third International Conference on Financing for Development, held in Addis Ababa from 13 to 16 July 2015. According to the Action Agenda, ending or reducing inequality requires delivering social protection and essential public services; ending hunger and malnutrition; promoting gender equality; protecting ecosystems; investing in children and youth, persons with disabilities, older persons and indigenous people; generating full and productive

employment for all; and promoting inclusive and sustainable industrialization.²⁵ The Action Agenda recognizes that inequalities have worsened in many countries, and that special efforts are needed to address this issue throughout the world, including developed countries, African countries, least developed countries, landlocked developing countries and small island developing States, as well as middle-income countries. It acknowledges that the least developed countries have been marginalized by foreign direct investment, and that many countries lack access to finance. To address this, Member States commit themselves to working with private sector actors and development banks to increase access to finance for micro-, small and medium-sized enterprises. Reducing inequality will require policies that promote financial stability, social inclusion, growth and jobs, knowledge-sharing, energy efficiency and climate change mitigation. Countries have committed themselves to a new social compact that will provide social protection for all and is fiscally sustainable.

38. It is important to note that illicit financial flows and corruption reduce the amount of resources available to fight inequality. The Addis Ababa Action Agenda sees this as a major impediment to equality. It calls for combating tax evasion, enhanced disclosure practices and transparency. It notes the report of the High-level Panel on Illicit Financial Flows from Africa (see www.uneca.org/publications/illicit-financial-flows#) and calls upon other regions to replicate the African initiative. The Action Agenda calls upon the International Monetary Fund, the World Bank and the United Nations to provide assistance in this regard. Furthermore, it calls for countries to ratify and accede to the United Nations Convention against Corruption, and expresses support for the Stolen Asset Recovery Initiative of the United Nations and the World Bank.

39. In the Addis Ababa Action Agenda, Member States promise to increase full and equal access to formal financial services for all. They will seek to enhance the budgeting process by increasing transparency, equal participation and gender-responsive budgeting and tracking.

40. The Action Agenda also promotes the equal rights of women and girls to economic resources, including equal pay for equal work, protection against abuse in the workplace and discrimination, increased investments in female-owned companies or businesses and ownership of land and property.

C. The Sendai Framework for Disaster Risk Reduction 2015-2030 and inequality

41. The Sendai Framework for Disaster Risk Reduction 2015-2030 was adopted at the Third United Nations World Conference on Disaster Risk Reduction, held in Sendai, Japan, from 14 to 18 March 2015. It addresses issues critical to reducing inequalities. It calls upon all of society to participate in disaster risk reduction, including through empowerment and inclusive, accessible and non-discriminatory participation, with special focus on the poorest. Policies and practices in disaster reduction must integrate gender, age, disability and cultural perspective.

²⁵ *Monitoring Commitments and Actions*, Inaugural Report 2016, Inter-agency Task Force on Financing for Development (United Nations publication, Sales No. E.16.1.7).

42. In the Sendai Framework, Member States commit to focus on the design and implementation of inclusive policies and social safety-net mechanisms. They will ensure that community involvement is a main part of disaster prevention and response and that everyone, especially people living in poverty and individuals in vulnerable situations, has access to livelihood programmes, basic health-care services and housing and education.

43. The Sendai Framework highlights the need of developing countries, in particular least developed countries, small island developing States, landlocked developing countries and African countries, as well as middle-income and other countries confronting serious disaster risk challenges, for "adequate, sustainable and timely provision of support, including through finance, technology transfer and capacity-building from developed countries and partners tailored to their needs and priorities, as identified by them" (General Assembly resolution 69/283, annex II, para. 19 (m)).

D. The Paris Agreement and inequality

44. The Paris Agreement was adopted on 12 December 2015 at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. The Agreement confirms the connections between climate change and equitable access to sustainable development and poverty eradication. It aims to reduce inequalities between countries in the fight against climate change. The Paris Agreement highlights the principle of equity and common but differentiated responsibilities and capabilities among countries. In this context, the Paris Agreement calls for more efforts to help developing countries, especially least developed countries and small island developing States, with adaptation, loss and damage, finance, technology development and transfer and capacity-building.

E. Strategies and policy approaches to tackle inequality at the global level

45. Reducing inequalities requires systematic action by the international community. To this end, the United Nations system has carried out a number of policy-oriented initiatives, of which some examples are provided below.

46. The Department of Economic and Social Affairs of the Secretariat analysed the social and economic impacts of inequality and proposed action-oriented policy recommendations to tackle inequality in its publication entitled *Report on the World Social Situation 2013: Inequality Matters*. In addition to discussing inequality in society at large, the report puts a particular spotlight on inequality in the context of the situation of disadvantaged social groups. It concludes that inequality is not inevitable and could be addressed by implementing inclusive social and economic policies and institutions, following the examples of countries that have been able to reduce inequalities even in times of global economic and financial crisis.

47. The Department also provided technical and substantive support to the Economic and Social Council in convening a special meeting on inequality on 30 March 2016 at United Nations Headquarters in New York. The special meeting brought together leading experts from academia, Governments, the private sector,

the United Nations system and other stakeholders to identify policy options and approaches for reducing inequality. Participants reviewed the main factors driving inequality and made recommendations to addressing high or rising inequality.

48. In April 2016, the United Nations Children's Fund (UNICEF) issued a report entitled "Innocenti Report Card 13, Fairness for Children: a league table of inequality in child well-being in rich countries", which showed evidence on inequality in education, life satisfaction and health. Ranking 41 countries of the European Union and OECD, the report highlighted that children's well-being is not an automatic result of individual circumstances or the degree of economic development. Instead, children's well-being is determined by policy choices. The report recommended several policy approaches: protect the incomes of households with the poorest children; improve the educational achievements of disadvantaged learners; promote and support healthy lifestyles for all children; take subjective well-being seriously; and place equity at the heart of child well-being agendas.

49. In March 2016, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) launched an innovative partnership with leading media houses, the "Step it Up for Gender Equality Media Compact". It unites various media outlets in print, broadcast and online news media to promote women's rights and gender equality in the context and framework of the Sustainable Development Goals. These media outlets will work to promote women's rights and gender equality issues through editorial articles; ensure that women are included as sources in stories produced; aim for gender parity; adopt a gender-sensitive code of conduct on reporting; and guarantee that women journalists are provided mentors and guidance for career advancement.

50. International Women's Day 2016 focused on "Planet 50-50 by 2030: Step It Up for Gender Equality". In order to achieve gender equality by 2030, calls were made to allocate more resources and greater political action. Adequate funding, bold advocacy, ensuring inclusive and quality education for all and committed political will were highlighted as necessary for gender equality. The international day was used to stress that accountability and measurable actions are critical for gender equality.

51. In 2014, the International Labour Organization (ILO) published a book entitled *Wage-led Growth: An Equitable Strategy for Economic Recovery*, which examined the increasing gap between rich and poor. The book discussed two functions of wages in economies led by the market: as a cost of production and as a source of demand and productivity. It highlighted the importance of looking at the role of wages in macroeconomic and growth policies. In another book published in 2015, entitled *Labour Markets, Institutions and Inequality*, ILO addressed reducing inequality through concerted political action that seeks to establish inclusive labour markets and social welfare institutions.

52. The Committee on Social Development of the Economic and Social Commission for Asia and the Pacific (ESCAP) met in March 2016 to look at strengthening the social dimension of sustainable development in Asia and the Pacific. The Committee underscored the importance of addressing inequalities within and between countries and of addressing the impact of demographic change. It was during this meeting that ESCAP launched the publication entitled "Time for equality: the role of social protection in reducing inequalities in Asia and the Pacific". The report points out that inequality is on the rise in Asia and the Pacific.

Technological change and globalization are identified as factors underlying the rising inequalities within Asia. Unskilled workers are finding it difficult to function in the context of these changes.

53. The Economic Commission for Latin America and the Caribbean (ECLAC) published a report entitled "Inclusive social development: The next generation of policies for overcoming poverty and reducing inequality in Latin America and the Caribbean". This report was presented during the Regional Conference on Social Development in Latin America and the Caribbean, which took place in Lima in November 2015. The report acknowledged that in the last decade, Latin America and the Caribbean had made progress in various areas of social development, including reductions in levels of poverty, and a slight decline in inequality. However, the report characterized the current economic situation in the region as being difficult, especially with weak economic growth rates, and stressed that in terms of income distribution, Latin America and the Caribbean remained the most unequal region in the world.

IV. Conclusions and recommendations

54. The 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda and the Paris Agreement have given renewed emphasis to inclusive development, highlighting the need to focus on inequality. In addition to Sustainable Development Goal 10, the stand-alone goal on reducing inequality within and among countries, all the other Sustainable Development Goals are linked to inequality.

55. The 2030 Agenda addresses both inequalities of opportunities and inequalities of outcomes. It fully recognizes the multidimensional aspect of inequalities, in particular horizontal inequalities caused by social, political and economic exclusion of social groups based on age, sex, disability, race, ethnicity, origin or religion.

56. Some progress has been made in the past 15 years in reducing global and international inequalities, but within countries, inequalities have tended to rise. Therefore, in order to achieve the visions of the 2030 Agenda and the new global human order, inequalities need to be tackled at both the national and the global levels.

57. In the context of successful implementation of the 2030 Agenda, the promotion of a new global human order calls for action in some key areas. In this regard, the General Assembly may wish to consider the following:

(a) Policies at the national level aimed at tackling inequality should ensure equal and universal access to basic social services, labour markets and social protection by, for instance, implementing social protection floors, extending the scope of social protection programmes, developing skills and addressing environmental risks;

(b) Policies to reduce inequality at the national level should also expand employment and decent work opportunities for all by creating decent jobs, addressing the vulnerability of people working in precarious jobs and the informal sector, and supporting small and medium-sized enterprises and cooperatives. In this context, disaggregated data are needed to better focus on

vulnerable social groups such as youth, older persons, indigenous people, persons with disabilities, families, women and girls and minority racial and ethnic groups, in order to address their concerns;

(c) Fiscal policies at the national level should ensure that the redistributive impacts of direct taxes and transfers support inequality reduction. Such fiscal policies must be an integral part of a strategy that will expand opportunities for, and improve capabilities of, disadvantaged or marginalized social groups and regions, particularly rural and remote areas;

(d) Institutions should be strengthened at all levels, including thorough broad-based multi-stakeholder participation, to support the reduction of inequality in all its dimensions within and across countries;

(e) To tackle inequalities at the global level, international cooperation should be further strengthened in areas such as international tax collaboration to reduce tax evasion and illicit flows, the regulation and monitoring of international financial markets, and reduction of migrant remittances costs. Particular attention should be given to the needs of least developed countries, small island developing States and landlocked developing countries through improved financial and technical assistance in order to reduce inequalities among and within countries;

(f) The United Nations system should continue its efforts to strengthen partnerships for sustainable development beneficial to all countries and to support Governments in pursuing inclusive public policies and institutions to ensure that the benefits of economic growth are broadly shared and that they reach those left furthest behind. The normative role of the United Nations should also be further strengthened in the context of the implementation of the 2030 Agenda. In this regard, functional commissions of the Economic and Social Council, the Commission for Social Development in particular, should play an active role in supporting thematic reviews pertaining to the issue of inequality conducted by the high-level political forum on sustainable development.



General Assembly

Distr.: General
22 July 2016

Original: English

Seventy-first session

Item 139 of the provisional agenda*

Human resources management

Practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, 1 July 2015 to 30 June 2016

Report of the Secretary-General

Summary

The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour and the disciplinary action and, where appropriate, legal action taken in accordance with the established procedures and regulations. The report covers the period from 1 July 2015 to 30 June 2016.

The General Assembly is invited to take note of the report.

* A/71/150.



I. Introduction

1. The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour in accordance with the established procedures and regulations. The report covers the period from 1 July 2015 to 30 June 2016.

2. As requested in paragraph 17 of resolution 59/287, an information circular will be issued so that all staff of the Organization will be informed of the most common examples of misconduct and/or criminal behaviour and their disciplinary consequences, including legal action, with due regard for the protection of the privacy of the staff members concerned.

3. Pursuant to the request made by the Fifth Committee during the resumed seventieth session of the General Assembly, section II below contains an overview of the reports on the practice of the Secretary-General in disciplinary matters submitted to the Assembly at its sixty-ninth and seventieth sessions. A broad overview of the administrative machinery in disciplinary matters is provided in section III so that the information provided in sections IV and V may be understood in context. Section IV contains a summary of the cases of established misconduct during the reporting period. Section V contains comparative data reflecting the disposition of cases completed during the reporting period, including cases that did not result in the imposition of a disciplinary measure, and information about appeals of disciplinary measures imposed since 1 July 2009. Section V also provides comparative data on the number and nature of cases referred to the Office of Human Resources Management for action during the reporting period. Section VI provides information on the practice of the Secretary-General in cases of possible criminal behaviour.

II. Overview of the reports on the practice of the Secretary-General in disciplinary matters submitted to the General Assembly at its sixty-ninth and seventieth session

4. During the sixty-ninth and seventieth sessions of the General Assembly, the Secretary-General submitted two reports on the subject, covering the 1 July 2013 to 30 June 2014 reporting period (A/69/283) and the 1 July 2014 to 30 June 2015 reporting period (A/70/253). During the 2013/14 and 2014/15 reporting periods, the most common types of misconduct for which sanctions were applied were theft, misappropriation, misrepresentation, false certification and misuse of United Nations property. During the 2014/15 reporting period, there were more cases of assault and abusive conduct than during the 2013/14 reporting period. Also during the 2014/15 reporting period, there were a number of cases involving inappropriate or disruptive behaviour, mostly attributable to a staff protest that took place in a peacekeeping mission. More than 30 additional cases were completed during the 2014/15 reporting period (148 cases), compared with the 2013/14 reporting period (115 cases). It is considered that this, at least in part, stemmed from a number of "group" cases that could be dealt with en bloc. The number of challenges to imposed disciplinary measures rose from two to seven. The higher number of challenges is considered to be unremarkable. The number of challenges during the

2013/14 reporting period, namely, two, should be viewed as extremely low. The number of cases received by the Office of Human Resources Management remained steady during both the 2013/14 (140 cases) and 2014/15 (143 cases) reporting periods. The number of cases referred to national authorities with respect to possible criminal behaviour remained fairly steady, at 11 during the 2013/14 reporting period and 8 during the 2014/15 reporting period.

5. A comparative analysis together with trends for the past five reporting periods, including 2013/14 and 2014/15, is set out in section V.

III. Overview of the administrative machinery with respect to disciplinary matters

A. Legislative framework governing the conduct of staff members¹

6. Article 101, paragraph 3, of the Charter of the United Nations states that the "paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity".

7. Article I of the Staff Regulations and chapter I of the Staff Rules, both entitled "Duties, obligations and privileges", set out the basic values expected of international civil servants because of their status, as well as particular manifestations of such basic values (see, in particular, staff regulation 1.2 and staff rule 1.2).

B. Misconduct

8. Staff regulation 10.1 (a) provides that "the Secretary-General may impose disciplinary measures on staff members who engage in misconduct". Staff rule 10.1 (a) provides that the "failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct". Additionally, staff rule 10.1 (c) provides that "the decision to launch an investigation into allegations of misconduct, to institute a disciplinary process and to impose a disciplinary measure shall be within the discretionary authority of the Secretary-General or officials with delegated authority". Within those parameters, the Secretary-General has broad discretion in determining what constitutes misconduct and in imposing disciplinary measures. The administrative instruction on revised disciplinary measures and procedures (ST/AI/371/Amend.1)² provides further examples of conduct for which disciplinary

¹ Provisions relating to the status, rights and duties of staff members, and to disciplinary matters, can be found in the electronic version of the Human Resources Handbook (available at <https://hr.un.org/handbook>) under the categories "Duties, obligations and privileges" and "Administration of justice and disciplinary matters".

² See also the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5).

measures may be imposed. A new administrative instruction on investigations and the disciplinary process was discussed at the annual meeting of the Staff-Management Committee, held in April 2016, and sent for broader consultation in June 2016. It is currently anticipated that a new policy will be promulgated during the second half of 2016.

C. Procedural fairness

9. Where the head of office or other responsible officer believes, following an investigation, that misconduct may have occurred, he or she refers the matter to the Assistant Secretary-General for Human Resources Management for a decision on whether to pursue the matter as a disciplinary case. Depending on the subject matter and complexity of the report of misconduct, the investigation may have been undertaken by the head of office or his or her designees, or by the Office of Internal Oversight Services, at its own initiative or at the request of a head of office.

10. If the Assistant Secretary-General for Human Resources Management decides to pursue the matter and thereby initiates the disciplinary process, the staff member is notified in writing of the allegations of misconduct and is informed of his or her opportunity to comment on the allegations and of the right to seek the assistance of counsel in his or her defence through the Office of Staff Legal Assistance or from outside counsel at his or her own expense. The staff member is given a reasonable opportunity to respond to the allegations of misconduct. In the light of the comments provided by the staff member, the Assistant Secretary-General decides whether to close the case, with or without administrative action, or to recommend the imposition of one or more disciplinary measures. In the latter case, the Under-Secretary-General for Management decides whether to impose one or more of the disciplinary measures provided for in staff rule 10.2 (a). In some cases, the first step taken with respect to a matter referred to the Office of Human Resources Management is not to initiate the disciplinary process but rather to request the staff member to provide comments. The request for comments is made in compliance with staff rule 10.2 (c) if the issuance of a reprimand is being contemplated and to assist the Office in deciding whether to initiate the disciplinary process.

11. Staff rule 10.4 (a) provides that, at any time after a report of possible misconduct, pending an investigation until the completion of the disciplinary process, a staff member may be placed on administrative leave by the appropriate official.³

³ In January 2013, the Assistant Secretary-General for Human Resources Management delegated to the Under-Secretary-General for Field Support, on a pilot basis, the authority to place field mission staff members on administrative leave with pay. The delegation of authority on a pilot basis was reconfirmed in September 2014. Guidelines for placement of staff on administrative leave with pay pending investigation and under the disciplinary process can be found in the Human Resources Handbook (<https://hr.un.org/handbook>), under the category "Administration of justice and disciplinary matters". The draft administrative instruction on investigations and the disciplinary process (see para. 8 above), which is anticipated to be promulgated during the second half of 2016, will reflect this delegation of authority. A management working group will further discuss the delegation of authority to the Under-Secretary-General for Field Support for field staff, as envisaged in annex VII to the report of the Secretary-General on the administration of justice at the United Nations (A/68/346).

12. In accordance with staff rule 10.3 (c), a staff member against whom a disciplinary measure has been imposed may submit an application to the United Nations Dispute Tribunal challenging the imposition of the measure in accordance with Chapter XI of the Staff Rules.⁴

D. Disciplinary measures

13. Staff rule 10.2 (a) provides that disciplinary measures may take one or more of the following forms (i.e. more than one measure may be imposed in each case):

- (a) Written censure;
- (b) Loss of one or more steps in grade;
- (c) Deferment, for a specified period, of eligibility for salary increment;
- (d) Suspension without pay for a specified period;
- (e) Fine;
- (f) Deferment, for a specified period, of eligibility for consideration for promotion;
- (g) Demotion, with deferment, for a specified period, of eligibility for consideration for promotion;
- (h) Separation from service, with notice or compensation in lieu of notice, and with or without termination indemnity;
- (i) Dismissal.

14. In determining the appropriate measure, each case is decided on its own merits, taking into account the particulars of the case, including aggravating and mitigating circumstances. Additionally, in accordance with staff rule 10.3 (b), disciplinary measures imposed must be proportionate to the nature and gravity of the misconduct involved. Given the thoroughness of the review involved to assess the unique facts and features of each case, the specific sanction that applies to a specific type of misconduct cannot be determined in advance or applied across the board.

E. Other measures

15. Written or oral reprimands, recovery of moneys owed to the Organization and administrative leave with or without pay are not considered disciplinary measures. Reprimands are administrative measures that are important for upholding standards of proper conduct and promoting accountability. Warnings or letters of caution are managerial measures directed at fostering awareness of the proper standards of conduct. In addition, where conduct that may amount to misconduct has an impact on performance, the issue may be addressed in the context of performance management. This may include training, counselling, the non-renewal of a contract or the termination of an appointment.

⁴ Judgments of the United Nations Dispute and Appeals Tribunals relating to disciplinary cases can be found on the website of the Office of the Administration of Justice (www.un.org/en/oaj).

IV. Summary of cases in which disciplinary measures were imposed during the period from 1 July 2015 to 30 June 2016⁵

16. For each case that led to the imposition of one or more disciplinary measures, a summary is provided below indicating the nature of the misconduct and the disciplinary measure or measures imposed by the Secretary-General. The functional title of the staff members or other particulars relating thereto are provided only when they played a role in determining the measures to be taken. Conduct issues that were dealt with by means other than disciplinary measures are not listed.

17. As noted above, both aggravating and mitigating circumstances may be taken into account in determining a sanction, and these vary according to the unique facts and circumstances of a case. Examples of possible aggravating circumstances are the repetition of acts of misconduct, the intent to derive personal benefit and the degree of harm resulting from the misconduct. Examples of possible mitigating circumstances are sincere remorse and the voluntary disclosure of the acts of misconduct early in the process.

18. Not every case brought to the attention of the Secretary-General indicating possible misconduct results in disciplinary or other measures being taken. When a review by the Office of Human Resources Management reveals that there is insufficient evidence to pursue a matter as a disciplinary case, or when a staff member provides a satisfactory explanation in response to the formal allegations of misconduct, the case is closed. Cases will also typically be closed when a staff member retires or otherwise separates from the Organization before an investigation or the disciplinary process is concluded, unless continuation is in the interest of the Organization. In the vast majority of cases involving former staff members, a record is made and placed in the former staff member's official status file so that the matter can be further considered if and when the staff member rejoins the Organization. In this regard, section 3.9 of the administrative instruction on the administration of fixed-term appointments (ST/AI/2013/1) provides that a former staff member "will be ineligible for re-employment following ... resignation during an investigation of misconduct or institution of a disciplinary process, unless the former staff member agrees to cooperate with an ongoing investigation or disciplinary process until its conclusion". Where relevant, this provision is noted in records placed in official status files.

19. In paragraph 23 of its resolution 68/252, the General Assembly requested the Secretary-General to take appropriate measures to mitigate and recoup any losses arising from misconduct by staff members and to report thereon. As the summaries of the cases below indicate, in the majority of the cases where there was a quantifiable loss to the Organization, the Organization either recovered the relevant property and/or funds or the staff member repaid the funds at issue. The recovery of financial losses to the Organization is currently being effected under staff rule 10.1 (b), which provides that where conduct is determined by the Secretary-General to constitute misconduct and the Organization has suffered a financial loss as a result of the staff member's actions, which are also determined to be wilful, reckless or grossly negligent, such staff member may be required to reimburse the Organization for such loss in whole or in part. One of the proposed changes to the administrative

⁵ Information contained in the summaries is correct as at the date of submission of the present report.

instruction on investigations and disciplinary matters (see para. 8 above) is to elaborate on the procedures for recovery of losses to the Organization resulting from established misconduct, thereby enhancing the legal framework to effect recovery.

A. Abuse of authority, harassment and discrimination

20. A staff member was found to have engaged in conduct that constituted harassment. *Disposition*: censure. *Appeal*: none.

B. Theft and misappropriation

21. A staff member participated in the taking, without authorization, of two sea containers that contained prefabricated building modules. *Disposition*: dismissal. *Appeal*: none.

22. A staff member performing security functions took, without authorization, a bottle of wine belonging to a third party that had been entrusted to security staff for safekeeping. *Disposition*: dismissal. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

23. A staff member participated in the taking, without authorization, of 96 sheets of corrugated metal belonging to the Organization. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. Recovery of \$260.30 was made from the staff member. *Appeal*: none.

24. A staff member attempted to remove, without authorization, a generator part belonging to the Organization from a United Nations compound. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

25. A staff member took, without authorization, fuel belonging to the Organization and failed to report that other staff members also took fuel belonging to the Organization. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. An amount equivalent to the value of 1,400 litres of fuel was recovered from the staff member. *Appeal*: none.

26. A staff member took, without authorization, construction material belonging to the Organization. There were mitigating circumstances, including a partial return of the United Nations property. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

27. Two staff members participated in the taking, without authorization, of electrical cable belonging to the Organization. There were mitigating circumstances, including the staff members' early admission of the conduct. *Dispositions*: separations from service, with compensation in lieu of notices and without termination indemnities. A sum equivalent to the value of 91 metres of electrical cable (\$1,691.69) was recovered from the staff members. *Appeals*: none.

28. A staff member performing security functions participated in an attempt to take, without authorization, building materials belonging to the Organization and was reckless or grossly negligent in the execution of duties. *Disposition*: dismissal. *Appeal*: the time for appeal of the disciplinary measure has not expired.

29. A staff member participated in the unauthorized taking of mattresses that belonged to the Organization. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

30. A staff member knowingly failed to follow instructions relating to the security of United Nations vehicles. *Disposition*: written censure and recovery of \$1,828.35, which is a sum equivalent to 25 per cent of the financial loss suffered by the Organization. *Appeal*: none.

31. A staff member facilitated the sale of refrigeration units that were taken, without authorization, from the Organization and received payment for assistance with locating a buyer. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: the time for appeal of the disciplinary measures has not expired.

32. A staff member performing security functions took, without authorization, rolls of concertina wire belonging to the Organization for the staff member's personal use. The rolls of concertina wire were recovered. *Disposition*: dismissal. *Appeal*: the time for appeal of the disciplinary measure has not expired.

33. Two staff members took, without authorization, 10 refrigeration units belonging to the Organization and arranged to sell some of those units. *Dispositions*: dismissals. *Appeals*: the time for appeal of the disciplinary measures has not expired.

C. Misrepresentation and false certification

34. A staff member falsely reported, in a job application to the Organization, the familial relationship of the staff member with another existing staff member. There were mitigating circumstances, including remorse. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

35. A staff member took a written test as a candidate for a vacancy, which the same staff member was charged with administering, with prior knowledge of the contents of the test acquired by having received a copy of it in advance. *Disposition*: demotion by one grade with deferment, for two years, of eligibility for consideration for promotion. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

36. A staff member sent a test to another staff member, in anticipation that the receiving staff member would review it prior to taking an examination for a recruitment exercise. *Disposition*: fine of one month's net base salary and written censure. *Appeal*: none.

37. A staff member received and reviewed a copy of an essay question prior to sitting for an examination that contained the same question and subsequently distributed the same essay question further to two staff members. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: filed with the Dispute Tribunal and dismissed; appeal by the former staff member to the Appeals Tribunal, where the case remains under consideration.
38. A staff member offered to assist a person external to the Organization with securing United Nations employment in exchange for money. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity, and fine in an amount equivalent to one month's net base salary. *Appeal*: none.
39. A staff member performing security functions misled an individual regarding assistance the staff member could provide in purchasing a vehicle through United Nations channels. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.
40. A staff member submitted insurance claims that contained false information. There were mitigating circumstances, including the staff member's early admission of the conduct. No moneys were paid to the staff member with respect to the claims. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.
41. A staff member falsely represented himself to prospective buyers of vehicles being sold by the Organization as being a legitimate intermediary. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.
42. A staff member submitted insurance claims that contained false information. There were mitigating circumstances, including the staff member's length of service. No moneys were paid to the staff member with respect to the claims. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.
43. A staff member submitted one or more education grant claims that contained false, misleading, and/or inaccurate and/or incorrect information, signatures and/or stamps. The amount that the staff member received in excess of the staff member's entitlement was recovered by being offset against the staff member's legitimate education grant claims. *Disposition*: dismissal. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.
44. A staff member falsified education grant forms by imprinting a forged stamp on the forms and affixing a forged signature. There were mitigating circumstances, including that the amount claimed by the staff member was less than he would otherwise have been entitled to receive. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.
45. A staff member falsely stated the staff member's educational qualifications in a job application to the Organization and provided a falsified diploma. *Disposition*:

separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

46. A staff member submitted insurance claims that contained false information. The sum of \$3,663, representing the amount of the false claims, will be recovered from the staff member's final entitlements. *Disposition*: dismissal. *Appeal*: none.

47. In job applications to the Organization, a staff member made a false declaration as to the staff member's educational qualifications. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

48. A staff member performing finance assistant functions used the staff member's office for private gain to solicit a loan from a bank and made a false declaration on a job application to the Organization by stating that the staff member had never been arrested. The fact that the arrest related to an investigation completed more than 10 years ago and subsequently closed was considered a mitigating circumstance. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

49. A staff member submitted documentation that contained false information, provided by the staff member's spouse, in support of a claim relating to medical services purportedly received by the staff member's dependents. The evidence indicated that the staff member was unaware of the false information and had no reason to suspect that the information was false. No moneys were paid to the staff member with respect to the claims. *Disposition*: loss of two steps in grade and written censure. *Appeal*: none.

50. A staff member misrepresented the staff member's educational qualifications and work experience on a job application to the Organization. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

51. A staff member copied portions of a personal history profile belonging to another staff member and submitted the resulting profile as the staff member's own. The personal history profile appeared to be reflective of the staff member's actual experience. *Disposition*: loss of two steps in grade and written censure. *Appeal*: the time for appeal of the disciplinary measure has not expired.

52. A staff member acted as an intermediary in the improper receipt of money in exchange for the promise of employment with the Organization from an individual contractor. The secondary role played by the staff member was considered a mitigating circumstance. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

53. A staff member created, without authorization, the staff member's attendance reports for three months and forged the signatures of other staff members in the reports before then submitting them. There were mitigating circumstances, including the staff member's long service with the Organization. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

D. Unauthorized outside activities

54. Without the approval of the Secretary-General, a staff member disseminated business information relating to the lunch delivery business of the staff member's siblings to potential customers within the United Nations community using the staff member's United Nations e-mail account and permitted the staff member's domestic employee to deliver the ordered lunches. *Disposition*: loss of two steps in grade and written censure. *Appeal*: the time for appeal of the disciplinary measure has not expired.

55. A staff member provided interpretation and translation services for one or more non-United Nations organizations in exchange for remuneration without the authorization of the Secretary-General. There were mitigating circumstances, including the staff member's long service with the Organization. *Disposition*: loss of two steps in grade, fine equivalent to two months' net base salary and written censure. *Appeal*: the time for appeal of the disciplinary measure has not expired.

56. A staff member became a candidate for political office in national elections, without authorization. The staff member had been previously cautioned against engaging in such conduct and agreed not to become a candidate. The fact that the staff member breached the agreement, demonstrating a clear disregard for the Staff Regulations and Rules of the Organization, operated as an aggravating circumstance. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

57. A staff member was employed by a quasi-governmental organization while concurrently being employed by the United Nations, without the authorization of the Secretary-General. *Disposition*: loss of two steps in grade, deferment, for two years, of eligibility for consideration for promotion and written censure. *Appeal*: the time for appeal of the disciplinary measure has not expired.

E. Assault and abusive conduct

58. A staff member verbally abused and physically assaulted a non-staff member at the entrance of a United Nations compound. That the incident took place while the victim was exercising security guard functions was considered an aggravating circumstance. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

59. A staff member physically assaulted a third party, resulting in the person's hospitalization. *Disposition*: dismissal. *Appeal*: the time for appeal of the disciplinary measure has not expired.

60. A staff member, while off duty, assaulted and injured with a knife a non-staff member in violation of local law. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

61. A staff member verbally abused and threw a large rock at another staff member and the staff member's supervisor and later that day pushed the supervisor. The staff member also used a key to self-inflict facial injuries and claimed that the

supervisor had caused them. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

62. Two staff members engaged in a physical altercation with each other. The staff members' years of service to the Organization were found to constitute mitigating circumstances. *Dispositions*: separations from service, with compensation in lieu of notices and without termination indemnities. *Appeals*: the time for appeal of the disciplinary measures has not expired.

63. A staff member drove a United Nations shuttle bus under the influence of alcohol and physically assaulted another staff member. There were mitigating circumstances, including the staff member's early admission of the conduct. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

64. A staff member physically assaulted a woman who was a United Nations Volunteer and with whom the staff member had had a romantic relationship. The substantial amount of time that had passed since the incident had occurred was viewed as a mitigating circumstance. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

65. A staff member physically assaulted another staff member by hitting him in the face. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

66. A staff member threatened to damage personal property belonging to another individual inside a recreational facility of the Organization. *Disposition*: loss of two steps in grade and written censure. *Appeal*: the time for appeal of the disciplinary measure has not expired.

67. A staff member physically assaulted another staff member. There were mitigating circumstances, including the physical response of the other staff member. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

F. Violation of local laws

68. A staff member possessed ivory bangles, in violation of local laws. *Disposition*: deferment, for one year, of eligibility for salary increment and written censure. *Appeal*: none.

69. A judgment was issued against a staff member in which it was determined that the staff member had received stolen property, in contravention of local laws. *Disposition*: dismissal. *Appeal*: none.

G. Failure to honour private obligations

70. A staff member failed to honour the staff member's private legal obligations as set out in a judgment ordering the staff member to pay child support. The staff

member's failure to acknowledge the debt, despite a judgment against the staff member, and the staff member's failure to make any attempt to settle the matter operated as aggravating circumstances. *Disposition*: deferment, for one year, of eligibility for salary increment and written censure. The staff member was also instructed to report regularly on steps taken to meet the staff member's private legal obligation. A portion of the staff member's emoluments was also withheld, pursuant to the Secretary-General's bulletin on family and child support obligations of staff members (ST/SGB/1999/4). *Appeal*: none.

H. Sexual exploitation and abuse

71. A staff member used the staff member's official laptop to access pornographic material. In addition, the staff member used the services of prostitutes. There were mitigating circumstances, including the length of time that had elapsed since the conduct came to light. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

72. A staff member engaged in sexual intercourse with two minors, in violation of the criminal laws of a Member State relating to sexual abuse, rape, attempted sexual assault and attempted facilitation of prostitution. *Disposition*: dismissal and fine equivalent to three months' net base salary. *Appeal*: sanction upheld by the Dispute Tribunal (UNDT/2016/086).

73. A staff member solicited money from and/or engaged in the sexual harassment and/or attempted sexual exploitation and abuse of persons who were either attempting to gain employment with the Organization or were working as independent contractors under the staff member's supervision. *Disposition*: dismissal. *Appeal*: none.

I. Misuse of United Nations property and assets

74. A staff member used a United Nations vehicle without authorization and verbally threatened another staff member. *Disposition*: loss of two steps in grade and censure. *Appeal*: none.

75. A staff member used United Nations property and assets for unofficial purposes to facilitate the staff member's engagement in outside activities. *Disposition*: loss of two steps in grade and written censure. *Appeal*: none.

76. A staff member worked, without authorization, as a designer for individuals, using the staff member's United Nations computer and e-mail account, and received remuneration from some of the individuals. *Disposition*: loss of one step in grade and written censure. *Appeal*: none.

77. A security officer left a firearm and ammunition unattended in a United Nations vehicle and the items were stolen. Leaving the firearm and ammunition in such circumstances directly contradicted the standard operating procedures relating to firearms. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

78. A staff member allowed a non-staff member to access the Organization's information and communications technology resources available to the staff member. *Disposition*: loss of two steps in grade and written censure. *Appeal*: the time for appeal of the disciplinary measures has not expired.

J. Other

79. A staff member sought and received payment from individual contractors in exchange for their employment, continued employment or prospective employment with a mission. There were mitigating circumstances, including the substantial amount of time that had elapsed since the matter had come to light. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

80. Two staff members performing security functions who were posted at an exit gate failed to search the contents of a United Nations vehicle, in violation of their duties, which resulted in the unauthorized removal of mattresses belonging to the Organization. *Dispositions*: demotions of one grade with deferment, for two years, of eligibility for consideration for promotions. *Appeals*: the time for appeal of the disciplinary measures has not expired.

81. A staff member failed to disclose the staff member's marital relationship with a candidate for employment within the Organization. The staff member sat on the interview panel and made recommendations with respect to that candidate. *Disposition*: demotion of one grade, deferment, for two years, of eligibility for consideration for promotion and fine of three months' net base salary. *Appeal*: the time for appeal of the disciplinary measures has not expired.

82. A staff member drove a United Nations vehicle and carried the staff member's service weapon while under the influence of alcohol. The involvement of local authorities and the fact that the staff member's conduct was in contravention of the staff member's core duties as a security guard operated as aggravating circumstances. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure has not expired.

V. Data on cases received and completed during the reporting period

A. Cases completed during the reporting period

83. The tables in the present section provide information on the number and disposition of cases completed during the reporting period, including those that did not result in the imposition of a disciplinary measure. Information is also provided about appeals to the Dispute and Appeals Tribunals of disciplinary measures imposed since 1 July 2009.

84. Generally, the length of time for completion of the disciplinary process varies depending on the complexity of the matter and the volume of evidence. During the reporting period, a number of factors have continued to affect the rate of processing of disciplinary cases, including, as previously reported, the jurisprudence from the

Dispute and Appeals Tribunals with regard to the standard of proof and the reliability of witness statements.⁶ In this regard, because of the strict standards imposed by the Tribunals, the Office of Human Resources Management is required to perform increasingly detailed analyses and to scrutinize every aspect of each case. There is frequently a need for clarifications and/or further investigation after referral of a matter to the Office. This need for further input from investigating entities has added significantly to the time needed to process referred matters.

85. The time taken to process a case also includes the time needed for the staff member concerned to respond to the allegations of misconduct and any further relevant information received by the Office of Human Resources Management during the disciplinary process,⁷ which can be lengthy given that the staff member may request extensions in order to consult counsel. After responses are received from staff members, it is often necessary to seek further clarifications and/or evidence from the investigating entity and to then again obtain the staff member's comments on the additional information received.⁸

86. It should be noted that the tables reflect cases completed during the reporting period that were referred to the Office of Human Resources Management both prior to and during the reporting period. The average time taken during the reporting period to dispose of cases after their referral to the Office was 8.6 months. There was only a slight increase in the time spent for the Office to dispose of cases during the reporting period compared with the previous period (8.4 months). The length of time taken is the result of a number of factors, including the time spent on other duties, such as working on matters relating to reports of discrimination, harassment, including sexual harassment, and abuse of authority and requests for advice from other client offices, the time taken by investigating entities to respond to requests for further supporting information and requests from staff members and the Office of Staff Legal Assistance for extensions of time to respond to communications from the Office of Human Resources Management.

⁶ In particular, the decision of the Appeals Tribunal in *Molart* (2011-UNAT-164), which provided that the standard of proof in disciplinary cases that could result in a termination is "clear and convincing evidence", has often resulted in the need for the Office of Human Resources Management to request further input from investigating entities after the initial referral of the matter. It is also noted that in the Dispute Tribunal judgment in *Applicant* (UNDT/2013/086), the "clear and convincing" standard of proof was also applied to the analysis of the evidence in a challenge to a sanction of demotion.

⁷ The time taken to process cases during the reporting period was further lengthened by the Appeals Tribunal's decisions holding that, with respect to the cases under consideration by the Tribunal, the disciplinary measures imposed on staff members were illegal because the witness statements obtained during the respective investigations did not have sufficient "indicia of reliability" or were otherwise questionable. For example, in *Nyambuza*, the witness statements were rendered in French (the language of the witnesses), but the attestations as to truthfulness were in English. As a result of these judgments, the processing of certain disciplinary cases was halted mid-process given that witnesses had to be found and new statements obtained. This added more time to the processing of the cases.

⁸ The requirement that additional information be provided to the staff member for comment was confirmed by the Dispute and Appeals Tribunals in *Israbhakdi* (UNDT/2012/010 and 2012-UNAT-277).

Table 1

Disposition of cases completed between 1 July 2015 and 30 June 2016

<i>Disposition</i>	<i>Number</i>
Dismissal	12
Separation from service, with notice or compensation in lieu of notice and with or without termination indemnity	38 ^a
Other disciplinary measures	19
Administrative measures	5
Closed with no measure	11
Not pursued as a disciplinary matter	12
Separation of the staff member prior to or after referral of the case to the Office of Human Resources Management prior to the completion of a disciplinary process	44
Other	2
Total	143

^a With respect to two staff members, the imposition of one disciplinary measure closed two cases. Therefore, 38 cases were closed after the imposition on 36 staff members of the sanction of separation from service, with compensation in lieu of notice and without termination indemnity.

87. During the period covered by the present report, 12 out of 143 cases, or 8.3 per cent of the cases completed, were not pursued as disciplinary matters. In the four prior reporting periods, ending 30 June 2012, 2013, 2014 and 2015, the corresponding percentages were 25 per cent, 27 per cent, 20 per cent and 15 per cent, respectively. The reason for a given case not being pursued as a disciplinary matter is specific to the facts and circumstances of the case. It is thought that the greater awareness by investigating entities of the *Molari* judgment (2011-UNAT-164), which provided that facts supporting a disciplinary measure that could result in termination must be established by clear and convincing evidence, has led to investigations being more thorough and investigating entities being more responsive to requests for further supporting information from the Office of Human Resources Management. This, in turn, has led to a continuing increase in the number of cases being pursued compared with three years ago.

Table 2

Cases completed in the current and past four reporting periods

<i>Period</i>	<i>Number</i>
1 July 2015 to 30 June 2016	143
1 July 2014 to 30 June 2015	148
1 July 2013 to 30 June 2014	115
1 July 2012 to 30 June 2013	115
1 July 2011 to 30 June 2012	155

88. The number of cases completed during the period covered by the present report is comparable to the number of cases completed during the previous reporting period. During the present reporting period, 67 disciplinary measures were imposed.⁹ In the four prior reporting periods, ending 30 June 2015, 2014, 2013 and 2012, 64 disciplinary measures, 39 disciplinary measures, 43 disciplinary measures and 49 disciplinary measures were imposed, respectively. It is thought that the continued increase in the number of disciplinary measures imposed when compared with the number imposed in the two-year period ending 30 June 2014 may be the result of the increasing responsiveness of investigating entities to the requests from the Office of Human Resources Management for further input and the improved quality of investigation reports.

89. With regard to issues concerning the workload of the Office of Human Resources Management, it may be recalled that, in addition to its role in acting on cases referred for possible disciplinary action, the Office also has a role under the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5) in connection with cases involving complaints against the most senior-level staff. In this regard, the Office provides recommendations on whether to initiate an investigation and, where relevant, reviews the completed investigation report and provides reasoned, written outcomes to complainants and alleged offenders. In addition, the Office routinely provides advice to other offices on the handling of complaints under that bulletin and responds to challenges before the Dispute Tribunal in respect of cases referred under that bulletin at various stages of handling (i.e., during and after investigations). The Office also has a role in monitoring the progress of matters submitted under that bulletin (see sections 5.11 and 6 of ST/SGB/2008/5). Given the complexity and sensitivity of such cases, the Office's involvement in these matters tends to be exceptionally resource intensive. In addition, the Office has provided recommendations to the Under-Secretary-General for Management with respect to terminations for facts anterior involving disciplinary matters in other United Nations entities, which did not require the initiation of a disciplinary process but involved a more limited review process.

B. Appeals against disciplinary measures

90. Once a completed case has resulted in the imposition of a disciplinary measure, the staff member may challenge that decision before the Dispute Tribunal. It is noted that a relatively small percentage of disciplinary measures have been appealed since 1 July 2009.¹⁰ In the reporting periods since 1 July 2009, the percentage of disciplinary measures imposed that have been the subject of appeals during each such period is 26 per cent, 16 per cent, 16 per cent, 11 per cent, 5 per

⁹ This number reflects closures of 69 cases because with respect to two staff members, 2 cases were closed with the imposition of one disciplinary measure.

¹⁰ During the past seven years, the Dispute and Appeals Tribunals have considered the appeals of both disciplinary measures imposed prior to 1 July 2009 under the previous system of justice and measures imposed after 1 July 2009. The tables in the present section do not contain information about the appeals or outcomes of disciplinary measures imposed prior to the introduction of the new system of justice.

cent,¹¹ 11 per cent and 16 per cent,¹² respectively. There has been an increase in the number of appeals filed during the reporting period covered by the present report, but the number remains largely in line with the numbers reported in previous reporting periods.

Table 3
Appeals contesting disciplinary measures imposed between 1 July 2009 and 30 June 2016

<i>Period</i>	<i>Number</i>	<i>Percentage</i>
1 July 2015 to 30 June 2016	11	16
1 July 2014 to 30 June 2015	7	11
1 July 2013 to 30 June 2014	2	3
1 July 2012 to 30 June 2013	5	11
1 July 2011 to 30 June 2012	7	16
1 July 2010 to 30 June 2011	16	16
1 July 2009 to 30 June 2010	8	26

91. The number of Dispute Tribunal and Appeals Tribunal judgments on disciplinary sanctions in the Secretariat imposed after 1 July 2009 is relatively small, with only a few emerging trends discernible from the jurisprudence, namely, considerable scrutiny of whether the facts on which disciplinary measures are based are established at the requisite standard and considerable support for respecting the discretion of the Secretary-General in deciding on the proportionality of the sanction imposed. Table 4 provides information about the overall outcome of cases before the Dispute and Appeals Tribunals for the period from 1 July 2009 to date.

¹¹ The figure reported in the previous report (A/70/253) included 29 cases for which the time for appeal had not expired as at the time of submission of that report. Upon expiration of that time period, no additional disciplinary measures were challenged. Accordingly, the percentage of appeals of disciplinary measures imposed during the previous reporting period stood at 11 per cent.

¹² During the period from 1 July 2015 to 30 June 2016, of the 67 cases for which a disciplinary measure had been imposed and the time period for filing an appeal had expired, staff members in 11 cases had appealed the sanction. Disciplinary measures have been imposed in 25 cases for which the time period to file an appeal had not expired as at the date of submission of the present report.

Table 4
Disposition of the appeals contesting disciplinary measures imposed between
1 July 2009 and 30 June 2016

<i>Disposition</i>	<i>Number</i>	<i>Percentage</i>
Win by the respondent and cases withdrawn by staff member at the Dispute or Appeals Tribunal ^a	31	76
Settled	7	17
Overall loss by respondent ^b	3	7
Total	41	100
Staff member's appeal pending at Dispute or Appeals Tribunal or time for appeal to the Appeals Tribunal has not expired	16	

^a This number includes cases in which: respondent prevailed at Dispute Tribunal and no appeal by staff member to the Appeals Tribunal; respondent prevailed at Dispute Tribunal and Appeals Tribunal; staff member prevailed at Dispute Tribunal but respondent prevailed at Appeals Tribunal; and staff member appeal to Dispute Tribunal withdrawn.

^b The number includes cases in which: respondent prevailed at Dispute Tribunal but staff member prevailed at Appeals Tribunal; and staff member prevailed at Dispute Tribunal and no appeal filed by respondent to the Appeals Tribunal.

C. Cases received by the Office of Human Resources Management

92. The tables in the present section provide information on the number and types of cases referred to the Office of Human Resources Management for possible disciplinary action during the period covered by the present report, as well as the number of cases received over the previous four reporting periods.

93. The number of cases received during the reporting period shows a slight decrease compared with the previous two periods but is largely in line with the number of cases referred in previous reporting periods.

Table 5
Cases received by the Office of Human Resources Management during the
current and past four reporting periods

<i>Period</i>	<i>Number</i>
1 July 2015 to 30 June 2016	130
1 July 2014 to 30 June 2015	143
1 July 2013 to 30 June 2014	140
1 July 2012 to 30 June 2013	131
1 July 2011 to 30 June 2012	95

94. The proportion of cases concerning field staff received during the present period is 68 per cent. In the four previous reporting periods, the corresponding percentages were 84 per cent, 51 per cent, 63 per cent and 72 per cent. The percentage of cases originating in field missions is broadly in line with previous

reporting periods, with the exception of the reporting period immediately preceding the present one.

Table 6
Source of cases received by the Office of Human Resources Management between 1 July 2015 and 30 June 2016

<i>Source</i>	<i>Number</i>	<i>Percentage</i>
Cases relating to staff based at United Nations Headquarters and offices away from Headquarters	41	32
Cases relating to field staff	89	68
Total	130	100

Table 7
Cases received between 1 July 2015 and 30 June 2016, by type of misconduct^a

<i>Type of misconduct</i>	<i>Number</i>
Abuse of authority/harassment/discrimination	19
Assault (verbal and physical)	17
Misrepresentation and false certification	24
Failure to report	3
Inappropriate or disruptive behaviour	8
Misuse of United Nations property or assets	1
Failure to honour private legal obligations	3
Retaliation	1
Sexual exploitation and abuse	2
Theft and misappropriation	21
Unauthorized outside activities and conflict of interest	11
Violation of local laws	1
Procurement irregularities	2
Others	17
Total	130

^a The number of cases referred to the Office by type of misconduct varies considerably from year to year. Therefore, comparative information is not provided. For example, with regard to cases on abuse of authority, harassment and discrimination, for each of the previous five reporting periods ending 30 June, the Office received the following number of referrals: 19 (2016), 5 (2015), 16 (2014), 8 (2013) and 16 (2012).

VI. Possible criminal behaviour

95. In its resolution 59/287, the General Assembly requested the Secretary-General to take action expeditiously in cases of proven misconduct and/or criminal behaviour and to inform Member States about the actions taken. During the

reporting period, 15 cases involving credible allegations of criminal conduct by United Nations officials or experts on mission were referred to Member States.

VII. Conclusion

96. The Secretary-General invites the General Assembly to take note of the present report.
